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Photo by Purdy, Boston

VICTOR F. NELSON

PRISON DAYS AND NIGHTS

BY VICTOR F. NELSON

With an Introduction by
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Introducing the Prisoner

I HAD been looking for the articulate prisoner for ten years when I met Victor Nelson.

The men in the jails are like the common men everywhere. Their experience may sink deeply into their hearts and minds, but they leave them inarticulate. They may live in a swirling and seething sea of emotion, but they cannot shuffle around the twenty-six magic symbols of speech, so as to portray their inner storm. Or they may find some quaint phrase, or some racy words which make up the concentrated essence of their living mood, but these are scattered moments of eloquence and quickly disappear in the hours, days, and years of futile hatred and mute inadequacy.

Now and then one meets a quick and intelligent mind in the jails, some man who has fallen into the net of the law by some one mischance or through the slipshod weakness of his make-up. Such men have written of prison life, but their words are too deeply personal to be of real value. Their experiences with the society which has sequestered them by prison bars and bolts have heated them into a passionate and ardent eloquence, which has imprisoned their intellect. They cannot see the woods because they have hurt themselves against the trees. Their words burn, but

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the thick smoke of their emotion throws no light on crime. They succeed in portraying a criminal but not criminality.

Nelson came into the little made-over cell in the Norfolk County jail at Dedham, Massachusetts, which is my office, the ordinary prisoner dressed in the shapeless gray of the inmates, stood with arms folded, according to the rule, and awaited my permission to sit down. I read his record, noting with grim cynicism its length, its monotonous repetition of the same offenses, and the long list of prisons and jails where his youth had been spent to the end of "retribution for his crimes, the determent of others, and for his own reform."

The number of incarcerations, the length of time served, I reflected, qualified him to speak as an expert on prisons. The official record sent me by the Massachusetts Department of Correction, briefly summarized, reads as follows:

Victor Folke Nelson was born in the Province of Malmo, Sweden, June 5, 1898, next to the oldest of four children of Swedish parents. When he was three years old, his family migrated to the United States, settling immediately in Campello, a suburb of Brockton, Massachusetts. His father, who is a tailor by trade, has held a number of good positions. Because of his excessive drinking, however, he has lost most of these positions and at present is a valet. In an interview concerning his son, Mr. Nelson stated: "The outside world knows more about that boy than I do. I have seen very little of him since he was a small boy, because he got into trouble when he was only fourteen years

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of age, and I have had little to do with him since. He was paroled once to my home, but he didn't stay long before he went away and got into trouble. When he came out of State Prison, we thought we'd see if we could help him, and my youngest son had saved a little money, and he gave him one hundred dollars and told him to use it, and to get on his feet and see if he couldn't behave himself. But what did he do? He went into the Statler, hired an expensive room, gave a dinner party to some people, and then went off and didn't pay the bill. My son had to settle for that; and he did the same thing in New York. It was within forty-eight hours after he had been out of jail that he commenced to do this. That boy is hopeless. I don't know what any one can do with him. I can't have him around my house, and the brothers and sisters can't have him, and I don't know what's going to become of him. I suppose, as soon as he is out this time, he will do something more and get locked up again, and it looks to me that that's where he is going to spend his life. I don't see that there's any reason for it. You can't blame the orphanage, because one of his brothers was in the orphanage, and he behaved all right. It's just in him, and I don't know why. He's more intelligent than the rest of them, and it seems a pity that he couldn't have used it to good advantage."

Nelson's childhood was marked by economic pressure in his home, but his mother, who died when he was seven years of age, was thrifty and a good home-maker, who managed to make both ends meet so that the family had the necessities of life. Upon his mother's death Victor and one brother were placed in a Swedish Lutheran Orphanage, where he remained approximately six years. He attended Grammar School, from which he graduated when thirteen years of age and had been in High School about a year when he was committed to Lyman. Because he was poorly

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adjusted in the orphanage, due to the fact that he was intellectually superior to the other children, he continually ran away. Finally he was sent to the Lyman School on March 8, 1913, when he appeared in the Stoughton court for being delinquent. Since his commitment to Lyman, his life has been spent almost wholly in institutions.

NELSON'S CRIMINAL RECORD

March 8, 1913. Stoughton (Mass.). Delinquent.

Committed to Lyman School, Westboro (Mass.).

Transferred to Shirley (Mass.) Industrial School for Boys, in March, 1914.

August 11, 1916. New York City. Grand Larceny.

Discharged by grand jury.

January 11, 1919. General Court Martial Board U. S. Navy. Absence from Station and duty after leave had expired.

Sentenced to 18 months Naval Prison, Portsmouth (N. H.). June 21, 1919, restored to duty on one year's probation; Feb. 12, 1920, returned to Naval Prison; released July 3, 1920, with dishonorable discharge.

November 30, 1919. New York City. Grand Larceny.

Suspended sentence 1 year.

{ October 19, 1920. Roxbury (Mass.). Robbery.

{ (arraigned) Grand Jury.

{ December 16, 1920. Suffolk Superior Court, Boston. Assault and Battery with dangerous weapon.

{ (sentenced) Filed.

{ December 16, 1920. Suffolk Superior Court, Boston. Robbery.

{ Sentenced to 3-5 years State Prison, Massachusetts.

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(The preceding, in brackets, represents the legal steps on one and the same case.)

November 16, 1921. Suffolk Superior Court, Boston. Escape.

May 11, 1921, escaped from Massachusetts State Prison; September 11, 1921, returned and sentenced by Court to 1 to 1½ years State Prison, to be served from and after original sentence. Paroled December 17, 1923, in custody of Thomas Mott Osborne, for whom he worked as librarian and literary assistant.

January 27, 1924. Auburn (N. Y.). Robbery, 1st degree. (arraigned).

Continued to February 1, 1924.

May 20, 1924. Auburn (N. Y.). Robbery and Assault.

Sentenced to 5 years Auburn State Prison; released June 29, 1927, and returned to Massachusetts authorities. Transferred to Prison Camp and Hospital, West Rutland (Mass.), October 8, 1930; released at expiration of sentence, April 25, 1931.

October 25, 1931. Quincy (Mass.). Drunkenness.

State Farm 1 year; paroled January 26, 1932.

October 25, 1931. Quincy (Mass.). Larceny.

Dismissed.

April 13, 1932. Norfolk (Mass.) Superior Court. Larceny.

Brought to Dedham, to serve 6 months' sentence.

August 2, 1932. Paroled in charge of Doctor A. Myerson.

From March 8, 1913, at which date Nelson was committed to the Lyman School, until March 1914, when he was transferred to the Industrial School for Boys, Shirley, Massachusetts he ran away on four different occasions and was paroled twice. In the institution he was considered a

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bright boy and finished grade nine in school. His conduct was fairly good other than his runaways. However, his parole periods were unsatisfactory and he had to be returned to the institution on the two different occasions he was released on parole.

From October, 1916, until February, 1918, he served in the Royal Flying Corps (British).

On May 13, 1918, Nelson enlisted in the Naval Reserve. For the offense of staying off duty after leave had expired, he was committed to the Naval Prison at Portsmouth on January 11, 1919, from which he was restored to duty on June 21, 1919, when he was given one year on probation. On September 10, 1919, under a false name, he married.

After he appeared in court in New York City on November 30, 1919 for grand larceny, when he was given a suspended sentence, Nelson was surrendered to the naval authorities and returned to the Portsmouth Naval Prison, from which he was finally released on July 3, 1920. At this time he was given a dishonorable discharge from the navy. Three months after his discharge from the navy, October 19, 1920, Nelson was arrested in Roxbury for armed robbery. In the Suffolk Superior Court on December 16, 1920, he was sentenced to serve three to five years at State Prison on the same charge of robbery.

Nelson and a codefendant arranged to rob a manicurist of a hotel by making a date with her and a friend. Late in the evening the codefendant and his girl were to leave Nelson and the victim so that the latter could carry out his plans. The two girls were taken out to dinner by Nelson and the other man on October 19, 1920. Later in the evening the manicurist invited them up to her room where there was excessive drinking. When it was time to leave, the other man invited the manicurist's friend to go out to

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eat, leaving Nelson and his victim alone. The former then grabbed the manicurist, threw her on the bed and robbed her of her jewelry. Her screams brought the landlady to her room, whom Nelson also knocked down. In the meantime, one of the lodgers who heard the screams came to the room and grappled with Nelson. However, Nelson overpowered him, but as he was leaving the place, he was arrested by a police officer who had been sent to the house.

After five months' incarceration at the Massachusetts State Prison, Nelson made a spectacular escape. On the evening of May 11, 1921, as a group of inmates were being taken from the guardroom to Cherry Hill under guard, Nelson stepped out of line, climbed up a window by using the bars as a stepladder and slid over the wall unharmed, despite the bullets fired by an excited guard. (In escaping Nelson betrayed no trust. He simply took a desperate chance and was lucky enough to make it.) Although a concentrated search was made for him, he remained at large until September 11, 1921. For the period of his escape, he claims to have remained in Boston and gets pleasure out of telling of playing baseball with the men on the Boston Common, knowing that the officials were searching for him. He then traveled over the country and finally drifted into a lecture hall in Cincinnati, Ohio, where Thomas Mott Osborne was lecturing and showing movies on reform. Nelson made himself known to Mr. Osborne, who in turn prevailed upon him to surrender to the Massachusetts authorities. On September 11, 1921, in company with the reformer, Nelson returned to State Prison and on November 15, 1921, in the Suffolk Superior Court, was given an additional year and a half sentence for escape.

Almost immediately upon his return, pressure was brought to bear by Thomas Mott Osborne for Nelson's

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pardon, basing the petition on the grounds that he had voluntarily returned to State Prison and that the act merited reward in the form of executive clemency. Mr. Osborne enlisted his sister, Mrs. James J. Storrow, and Reverend P. R. Frothingham in Nelson's behalf. However, he was denied pardon, but on repeated requests and promises by Thomas Mott Osborne that he himself would employ and supervise Nelson, he was paroled on December 17, 1923. Until December 29 he lived in Boston, at which time he left for Auburn, New York, to work for Mr. Osborne as librarian. In the early part of 1924 Osborne went away for a week-end which left Nelson to himself. He claims he became lonesome so he left the house to go to a saloon. Some one there made some slurring remarks about Osborne. Nelson's account of the affair is somewhat as follows: Nelson, a stranger in the neighborhood, realized that a fight in the saloon would place him under too great odds. So he followed the man home, asked to go inside to speak to him, and once inside, proceeded to take the man to task for his false insinuations about Osborne. A fight followed in which the interior of the provokee's house was fairly demolished. Nelson managed to come out on top — for the moment. But his antagonist was a political enemy of Osborne's, knew Nelson was on parole, and the next morning notified the police — giving a highly garbled and eminently false account of the whole affair.

On May 20, 1924, Nelson was sentenced to serve five years in the Auburn State Prison on the charge of robbery and assault. While in the institution, he took several extension courses at Columbia University on writing and secretarial correspondence. He had a good style of writing and sold several of his articles on penological subjects, a few translated and original short stories, etc. On June 29, 1927,

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after serving the Auburn term, Nelson was returned to the Massachusetts authorities as a parole violator and on October 8, 1930, transferred to the Prison Camp and Hospital. He was released at the expiration of his sentence on April 25, 1931.

Upon the expiration of his sentence, investigation by the Division of Examination of Prisoners discloses that Nelson went to New York where a friend lived. He did general work in the neighborhood and it was hoped he would write. However, it was finally decided that he was a failure when he failed to do satisfactory work. In order to get him out of the neighborhood, his friend paid his way back to Sweden. Nelson claims that upon entering that country, his relatives refused to have anything to do with him. Therefore, within a month, Nelson returned to the United States and was given another chance to work by his friend. He robbed his hostess' house one afternoon, while intoxicated. A few hours later, just as she had discovered the robbery and was telephoning to the police, Nelson returned, nearly sober, explained what had happened, and recovered the stolen articles. She refused to file any charge against him, however, so he started for the West, reached Santa Fe, where he remained for two weeks, after which he started back to New York. Returning again and then leaving for St. Louis, he came back to this part of the country and became a drunken nuisance.

At about 9:00 P. M., on October 25, 1931, a doctor left his car parked in front of a building in Randolph, Mass. His bag, containing instruments valued at \$222, was stolen from the machine and was later found in the possession of Nelson. When approached by the doctor and asked where he obtained the bag, Nelson stated he owned it. However, the doctor detained him until the arrival

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of the police, who arrested him on the charge of drunkenness and larceny. On October 26, 1931, he was committed to the State Farm at Bridgewater for one year on the charge of drunkenness from which he was released on January 26, 1932. While he was incarcerated at the State Farm, a *capias* was issued and when he was released from this institution, he was arrested and sentenced on April 13, 1932, in the Norfolk Superior Court to serve six months in the house of correction on the charge of larceny.

When you add up roughly the years from his fourteenth birthday to his thirty-fourth, one finds that Nelson spent twelve and a half years in correctional institutions of one kind or another. There is evidence enough that he suffered retribution for his crimes, and let us piously hope that his punishment may have deterred others, but obviously his own reform had not taken place. But some notes in that record caught my eye, — the words of other examiners, that the prisoner Victor Folke Nelson had an "exceptional and high grade mind", that he could write well, that in his years in prison he had acquired culture and learning. Scholarship, I reflected, was a hardy plant which might grow in any soil.

I saw before me a slender, but lithely built man, with a face that instantly aroused kindly feeling. There are fine men who have to overcome by their deeds the first hostile impression created somehow by the unfortunate arrangement of their features. These are low-grade men whose smile, or whose accidental and inconsequential facial play and gesture, give them

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an easy and tragic entrance into the hearts of others. This man had clear blue eyes, mobile mouth, white teeth that flashed in and out of view in speech and smile, well-poised head. Were these symbols of the genuineness which they presaged or were they mere parts of a mask? In life one must hazard much on flimsily based approval, and ten minutes after I met Nelson, I had made a wager with my own critical self.

For I said to myself, "Here, I think, is intellect, not mere lively, attractive intelligence and amiable personality. And intellect is too rare on this disordered human scene to be wasted in a jail and warped out of shape by stupid living."

"Here," I reflected, "in this man who has been a thief and a drunkard, there may be that double gift of the Gods, that objective detachment from the self by which a man can see himself in the setting of his environment without the distortion of self-love, self-pity, or self-hatred, and the inborn powers of one who loves words. Scientist and artist, and the man who has suffered. . . . You, Nelson, may be the man I am looking for."

So I discarded as irrelevant and insulting the routine of a psychiatric approach to the mind of this prisoner, a routine suitable enough for the examination of men who find "what is one-half of one-half" a problem, or who become lost in an intellectual vacuity when asked, "Why do we number this year 1932"; but as futile against a subtle and surging intellect as it would be to measure the mere depth of the Atlantic

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in order to understand the life that lurks and flashes in fantastic forms in its ceaseless waters.

I said to him, "We psychiatrists have been looking at the prisoners for a long time and have had our say about him in books, learned journals and public platforms. Have we had anything real to say? Do we know them? For the time being, I shall not tell you what I think. Suppose, however, that you write for my colleagues and myself what the prisoner thinks of us, how the prisoner sees the psychiatrist. Will you do it?"

Would he? An eager mind sprang into action, and at once we plunged into a discussion which bridged the chasm dividing the man in prison from the man clothed with rank and authority. When it ended, because the urgent duties of a physician called me elsewhere, I took steps for the ways and means of the task.

Prison officials are like all other men; they have many selves, — the one that pertains to their job and the others which link them to the many phases of their common humanity. They expressed themselves as glad to coöperate in the plan I laid before them, and I am happy to give them full credit for being better than their word. It is the grim and standing joke in the jails that the prisoners have nothing else but the "time" they are serving, yet even that time needs freeing before an incarcerated man can write. They set him free from the dull chores of jail life; they gave him access to a typewriter and furnished him with paper, pen

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and ink. Simple enough things to do, one may say, and yet some representative of the bureaucracy of law and order might have obstructed the plan on the ground of that invulnerable argument that it never had been done before.

During the next week Nelson flashed in and out of the interstices of my thoughts, and I noted that I had to whip up my enthusiasm as the cold harsh facts of experience jolted my expectations — a long record of failures, friends betrayed and opportunities lost before this; planlessness; stupid, impulsive, criminal conduct; the fatal alcoholic habit; an all too attractive personality, which gave too easy an access to a type of woman whose sensuality poisoned constructive effort; a shallow exhibitionism which bred an impatience with the solid virtues of thrift and honesty. Against these, what did the man have that I should throw away the time which a very busy career imperiously demanded and hazard a reputation for knowledge of human nature and insight into its vagaries? A nice face, a fine flow of words — nothing else. What about that solid courage which we call industry? Was he one of those shallow souls who spread out all their goods on first meeting and have no stock to keep on selling?

Nethertheless, my duties called me to the jail, and so one morning I read the document which appears in this book as "The Prisoner Speaks to the Psychiatrist." Nelson handed it to me when the guard brought him to my room, with apologies and obvious

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trepidation. It delighted me, for it confirmed me in my belief that we psychiatrists were not really reaching the prisoner, and I maliciously anticipated reading his devastating words to some future group of my colleagues. But more than this, I knew that, in so far as his ability was concerned, I had read my man aright; that he had talent, was no mere expositor of his own feelings, but a man capable of a first-class piece of work. There and then this book was born.

He wrote for the next few weeks with amazing speed, adding chapter after chapter of his experiences along the lines of my suggestions. Then one day he asked me, with the air of one who struggles against his own presumption, if I would aid him to get a parole. Without that aid, he knew — so he said — that the authorities would not even consider his petition. . . . The summer was slipping by; he wanted so much to plunge into the cold waters of the ocean; to burn out the pallor of his skin by the hot rays of the August sun, as he lay on some beach; and he wondered if he still had a good forehand stroke at tennis. . . . Turn, if you will, to Nelson's chapter on "Freedom of the Convalescent" and see what this request meant to him in the moving terms of the yearnings of the body and mind. Or, better still, make that effort which in its results is the only link of human union, — put yourself in his place.

I pondered. Then I said I would help, but a plan must be made which would organize the outer world

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for him, so that when paroled he would not receive its buffets but would find it friendly and ready to help. Society, I told him, had reflexes of responses to a man against which he might be helpless, and also his friends: and a man had habits which fatally led to disaster unless a new life setting was provided. "Be patient, Nelson, let us see what others say about your writings; let us confirm my judgment by that of those whose own success in life depends on how they judge the writing of others."

So I went to the publishers, under whose imprint this book is presented, and I told Nelson's story to two of the heads of the firm. I asked them to read the material and to give me their opinion. So over a hot summer's week-end, while Nelson continued to write in a county jail and I caught fish with some seasick companions in a dory off the shore of staid Swampscott, the publisher read the manuscript in a country town.

Early the next week, we met in his office. He was enthusiastic, albeit with the guarded approval of the business man. "Fascinating — important — well written — but a bit too free in the use of those words which Old Dame Grundy and her servants in high places say are not fit and proper. A little toning down in the raw places — a few polite synonyms for the raw, direct, and better Anglo-Saxon words. Yes, we will take the book."

"Ah," I said, emboldened by my success, "let me use the quaint phrase of the business man and sell you

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another idea. Let us speak of advance royalties, not in the terms of ordinary speech, but in a more important light. Let us say that they stand for freedom, for a shortening of that procession of endless days and nights in which a man awaits the shifting of those tragic bolts which hold him in a hated place. Let us turn them into plunges into the ocean waters, while still the summer sun is hot, or translate them into the satisfaction of the deep, bodily and spiritual needs of a sensitive organism. What do you say, then, to advance royalties of so much and so much to Nelson?"

"Agreed," said the publisher.

So the application for parole was made, and after a slight resistance on the part of the authorities, made — I am sure — as a gesture to uphold the sternness of the law, it was granted. This day Nelson is a free man and reads these words as we drive to the place where he will live and write.

I have told him time and again that he has a career ahead of him, a golden opportunity. I have said that he cannot take refuge in those excuses which make childhood culpable for manhood. I have not spared his feelings, although I have respected his reticences. . . . A man at thirty-four can no longer put off his life's organization; it is time for adolescent recklessness to pass on; it is becoming for the forebrain to rule the lower parts. . . . All these and other facts he knows even better than I do, for they have been "engraved on his eyeballs", as the Arabian phrase has it, by the pitiless reflection of prison days and nights, by

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sexual starvation, by prison stupor, by those lacks which become tragic wounds.

The great experiment begins. Have I helped to free a man who will add the products of his mind to the world, or will the prison reclaim its own?

ABRAHAM MYERSON, M.D.

PRISON DAYS AND NIGHTS

Chapter I

Prison Days

IN the early morning my cell was always flooded with light. When I most desired the sheltering gloom, my sordid surroundings were glaringly revealed by the realistic sun. Nearly always I would be awake when the rising bell rang; and on most mornings I would just lie there, warm, relaxed, still clinging tightly to the dream world. For, like many prisoners, I spent most of my conscious moments in a world of fantasy which was far different from the grim world of crass reality. At mornings I hated to let go of the dream world, which was rich, complete, satisfying, full of the night's imaginings. It was almost unbearable to let it fade out and be obliged to face the grotesque world of steel bars and stone walls: the world of drabness and monotony now so starkly naked in the cruel brilliance of early morning light. . . .

My cell measured six by eight feet wide and seven feet high and was on the whole a most cramped and discouraging place. An old deal table, a wooden chair,

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an aluminum washbasin, a venerable wooden slop bucket; these, besides the narrow bed, were the familiar objects upon which my unwilling eyes were obliged to look each morning. . . . So I would usually just lie there with my eyes tightly closed and my face to the dark side of the cell, consciously withholding myself from a return to reality, eagerly reliving remembered fragments of the past, or imagined scenes from a forthcoming, ecstatic future, hungrily clasping to my heart each small bit of vicarious life. All about me was living death: anemic bodies, starved souls, hatred and misery: a world of wants and wishes, hungers and lusts; a world of suffering men.

I would lie there remembering various feelings, experiences, bits of verse:

"Yonder, see the morning blink!
The sun is up, and up must I:
To wash and dress, to eat and drink;
To look at things; to talk and think;
To work — and God knows why.

"Oh, often have I washed and dressed,
And what's to show for all my pains?
Let me lie abed and rest.
Ten thousand times I've done my best,
And all's to do again."¹

Lying there, I might let fast-flying Memory carry me back to other times, to earlier ways of living and stages of development; to the day, for example, when

¹ A. E. Housman.

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I had first felt the terror of the trapped animal: the gnawing, agonizing fears and despairs of the suddenly caged beast.

It was at the age of twelve that I first knew the torture of captivity. I had run away from the orphanage for perhaps the seventh time. The matron, Miss Garbelius, did not know just what to do about me. I was her greatest problem. Small wonder that she could not cope with it, when it is a problem with which, even to-day, I find myself all but incapable of coping. Miss Garbelius had tried simply everything with me. She had tried threatening me, scolding me, praying *with* me, praying *for* me, having the Lutheran minister talk with me; she had tried whipping me herself with a hard leather strap, and later had had me whipped by a muscular hired man with an even harder strap. She had tried, poor woman, everything in heaven and on earth which seemed likely to "save" me, and each method of punishment seemed equally futile. Each method *was* equally futile. But this was a lesson Miss Garbelius never learned. . . . So she now tried locking me in a clothes closet. It was lonely and quiet and utterly dark in the closet. I hated it. Miss Garbelius herself would bring me my meals three times a day, and with them sermons and admonitions and threats and intended inducements to good behavior. Also, by way of dessert, she would bring me prophecies of the eternal damnation which was sure to overtake me if I did not mend my ways. In brief, she tried everything on earth which might serve to make me

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alter my unorthodox and unaccountable ways. The method which seemed to her most promising at the moment was to lock me into the clothes closet for several days. Each night, however, when the other children were asleep in their chaste white beds, Miss Garbelius's essential humanity would assert itself, and she would come sneaking to my small prison — sneaking is really the word; she would have been so utterly discomfited and nonplussed had any one seen her — and let me out. "Go to your bed," she would say. And in the morning, before any one would be up who might witness her weakness and humanity, she would awaken and recommit me to the dark little prison. . . .

During the minutes before my oriented eyes could pierce the blackness, it was pretty horrible. My terrified imagination would fill the dark places with slimy figures whose eyes and lusts threatened me. I would see the unmitigatedly vicious and implacable "jabberwock," to dream of which was the most stunning horror. His menacing, pointed, death-delivering tail would hammer upon the closet door, while his hideous toothy jaws slavered at me through the key-hole. With his baleful, gleaming eyes and thick, red tongue, with the drooling spittle which always proclaimed his unappeasable appetite and inordinate lusts, he was surely the foulest beast which in those days crawled the earth.

But soon the darkness would grow less gloomy. Not that I could see anything very clearly. The only light

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came through the keyhole. But at least there was a lightening of the unbearable blackness.

On the second day of my captivity, I found unexpected, delightful entertainment. Sitting that afternoon in listless misery, idly playing with a pair of old shoes, I chanced to observe that the slanting rays of the afternoon sun came through the keyhole and threw a most fascinating picture on the opposite wall. Naturally it was a very dim and shadowy picture; nevertheless a picture — a fascinating, exciting thing to see under the conditions. To me, at the time, it seemed an absolute miracle. I knew nothing about the laws of optics and refraction. I would sit there looking at it for hours, perfectly contented, until the shadows had become too long and the picture slowly faded out. It offered so many possibilities; I would, I thought, get some of the other children to come to the bedroom and perform little dramas which, in perfect miniature, I would behold in dim perfection from my closet box. The closet was thus robbed of most of its terrors through sheer accident. The tormenting fact remained, of course, that by no effort of will or strength or desire could I get the closet door open. The sense of captivity was the essential heartquake of it. I was a helpless prisoner. My roving imagination betrayed me. It worked accursedly in the interests of law and order, of custom and convention. I would reflect: Suppose the place caught fire and no one happened to think of me! Suppose I fainted away and died before any one found me! I thought of all those

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agonizing things which a fertile imagination can create for the chastisement of the human spirit. The saving grace of the situation was that I had a protecting shield of darkness behind which I could hide my fears and trepidations. . . .

Or, lying in the prison cell, waiting for the moment to come when I must get up, I would think of the first night I had spent in a *real* cell. After all, the first cell was merely a clothes closet. Again I had run away from the orphanage. Again Miss Garbelius — poor, kind, stupid, right-wanting woman — did not know what to do about me. My wanderlust was a thing which must be subdued, stamped out entirely. How could she think otherwise? Had she not been brought up on the Christian (Lutheran) Bible? Did not the Bible say that the way of the transgressor must be made hard?

Miss Garbelius now enlisted the help of certain enforcers of law and order: a judge, a sheriff, a detective, and sundry other persons. The plan was to frighten me. The old theological plan. I was to be so thoroughly fear-smitten that never again would I dream of running away, nor dare to be anything except a model boy. That was the plan. But "man proposes." This is the way it worked out. . . . They brought me to a near-by county jail and summarily clapped me into a cell — "clapped" is in this case the God-given word. The keeper fairly shook the earth as he slammed the steel door on me. (He had, of course, been told to do so.) The effect of it upon my juvenile nerves is all

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but indescribable. As nearly as I can put it into words, it was startling, unexpected, shocking: like an unlooked-for clap of mighty thunder on a clear night. I was thoroughly frightened.

As I lay on my bed in the prison cell, reliving these old days, one fact impressed me unequivocally. I thought of the sheer futility of the methods of punishment which had been tried on me. I could with perfect truth say that everything except hanging had been tried on me — with no more beneficent effect than if I had never been punished. Those who had power over me had tried every conceivable form of punishment which they deemed compatible with human dignity (their dignity, of course; not mine). Everything had proved ineffective, futile, wasteful. . . . The important thing is this. Punishment is supposed to have a certain deterrent effect. They think to frighten the human animal into obedience, or at any rate into a semblance of it. Very well. Their methods of punishment were very successful. That is to say — they wanted to frighten me and they succeeded. I *was* very thoroughly frightened. I was not only frightened — I was convinced that they were *right*. They succeeded in convincing me that I was one of the villains of this world, for whose sins no punishment could be too harsh. Briefly they succeeded in every way in which the proponents of punishment as a method of “reform” could hope to succeed. And what was the measure of their success?

I kept on doing the same things I had been doing.

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Is it any wonder, then, that I question the "deterrent" effects of punishment? Everything I have seen and felt and thought about it tells me that the "deterrent" effect of punishment is merely another pious platitude.

In this connection, I would remember a book I had just been reading. (Thomas Mott Osborne's "Society and Prisons.") In this book, discussing the various ways of controlling the human "maverick," Osborne quotes Doctor Johnson. Somebody had made a speech in the House in which it was maintained that severity is not the way to govern unruly boys. The inquisitive Boswell repeated this statement to Doctor Johnson. Doctor Johnson said: "Nay, it is the way to *govern* them. I know not whether it be the way to *mend* them." From a tolerable amount of experience with this phase of life upon the earth, I can give a hearty assent to Doctor Johnson's skepticism. Severity is surely not the way to mend the nonconforming human animal. It is, on the other hand, the way to make him even more anti-social. . . .

I would lie there in bed, my face to the dark side of the cell, clinging tightly to old times and to future times; to anything which promised even a vicarious life. The contiguous, encircling reality was too harsh to be borne.

At last I would have to get up. Breakfast. Mush and milk. Beans. Whatever it happened to be. It was never any good. How could it be? It was merely fuel. A life-preserving commodity. It was naturally not good

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nor appetizing food. If it had been interesting, well-flavored food, each of the guards could have said in his heart, "Why should these men eat better food than I can get at home?" Like us, the guards were also the victims of social and financial inequalities.

Breakfast. . . . "To wash and dress; to eat and drink; oh, often have I washed and dressed, and what's to show for all my pains?" . . . The futility, the monotony, the drabness of it. Every day the same feelings, the same food, the same sense of stultification. The jaded prisoner would say to himself: "Jesus Christ! the same to-day, to-morrow, and forevermore." . . . Will there always be drabness? Will there never be *life*? And how look for life in a tomb.

Eight o'clock. The Bucket Brigade, the march of Feces and Urine. Walking down the yard with the bucket on cold winter days was not bad. There was the sense of escape from the nightly horror of the cell, the feeling that a new day had begun, and that "each day is a day nearer home," home meaning nothing so much as freedom, whether or not one had a home to go to. . . . But in the hot summer months, when the nauseating odors assailed one, full of a presage of disease and death, it was not so good. One walked to the brink of the walled-in cesspool, gagging and choking at the redoubled onslaught of stench, emptied the bucket, threw in a scoopful of disinfectant, hung the bucket on a nail, and marched back into the shop line. . . . One might stand there thinking about nothing in particular; drugged by the prev-

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alent "prison stupor"; or one might stand there thinking about other lines and columns of uniformed men in which one had previously stood. The basic feeling was one of waiting — waiting for the new day actually to begin; for the day of working, of looking for mail, of waiting for news about one's "case," for word about parole, pardon, or whatnot.

In straggling, disorderly ranks we would march to the shops: the shoe shop, the print shop, the plate shop: whatever shop it might happen to be. . . . Some of us might wonder about the values involved. What about trades? Who the hell wants to be a shoemaker when he gets out? Where can you find a job making automobile plates in the free world, when they're all made in prison? This business of classification and segregation; they make us sleep in separate cell blocks, according to the provisions of some scheme they have in mind; but during the day, we're all thrown together in the shop. . . . Classification versus profit-making! In a country whose predominant codes are personal aggrandizement and private enrichment — what would the answer be?

I sit down at my machine in the tailor shop. I have never done any of this work before. I am naturally inept, having no mechanical skill whatever. "Paddy" comes along. He is the instructor. An Irishman. "Ah," he said, "ye're wan of me own kind." And throws a pile of work in front of me. Pants, overalls, shirts, whatnot. He tries to tell me a funny and obscene story. I don't feel like listening to it. I do not like him,

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knowing him to be a convict-hater at heart. My mind is on other things: grave things: the implications of imprisonment. "Listen," I say, "you get to hell out of here, Paddy. If you have anything to say to me about the work, all right, say it. But the judge didn't say that I had to sit here and listen to your bum jokes. That wasn't in the sentence at all." Paddy very naturally resents my attitude, as I resent his. He feels, too, that in some way I am his superior. I have a certain intellectual dominance over him. He hates that, as I hate his brute power over me (if I do not complete my daily task, Paddy can have me sent to solitary confinement as a malingerer). . . . It is a Mexican stand-off. He would like to punish me — not because he cares very much about the work itself, but because he hates a certain overt and unconcealed superiority which I have taken great delight in making him aware of. That is my revenge. But since I've actually kept myself apparently busy all day, although I have not completed the task, Paddy is powerless to punish me. That is, he cannot send me to the "block." He can, however, and does punish me in more effective ways. Whether or not I complete my task for the day, Paddy each morning throws a fresh bundle of work on my bench. This means that I shall never be caught up; that I shall never have a moment of leisure. Other men can complete their task during the morning and loaf the rest of the day. I simply have not the mechanical skill to cope with the daily task. Paddy, therefore, wins. In spite of what I feel is my superiority, I

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cannot score off Paddy. He is brute stupidity rampant and successful. He is prison work. . . .

It is noontime. The hateful shop morning is ended. We march to our cells for the noon meal and an hour of rest. Rest!

How rest the tired, rebellious, imprisoned mind?

One cannot rest. One can merely escape from the existing drabness. One can merely lie down on the bed and drift off into the dream world; into memories of the past, visions of the future; neither of which is satisfactory except in retrospect or anticipation. One lies in a stupor, shutting out the undignified, unappetizing dullness; deliberately or unconsciously running away from life. This is a bad habit to get into, this flying from reality; but it is a habit into which practically all of us get, mildly or terribly, depending entirely on the length of our sentences, our ages, our intensities of awareness.

One o'clock. Back to work again. The same stuffy shops, the same tiresome work. It is absolute industrial masturbation! Merely working men in order to keep them busy, with no pride in the finished product, no care about inculcating habits of craftsmanship, no thought except to make us do something we don't like to do. The guards on their elevated benches become lazy-minded, unpremeditated sadists, and take a senseless delight in giving each man the job he most heartily hates to do. This comes from natural stupidity, prejudices racial and religious, and the fierce desire of the average man to savor power — when he

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gets a chance to use it. Lo, the poor guard! In his mind's eye he can see us as we were in the free world; with money, ravishing women, all the sensual delights which must be forever unattainable to him. We have had this. He has never had it, never will have it. Therefore, enviously, gloatingly, he exacts vengeance upon us for the unalterable deficiencies in his own life.

Work, work, work; day in and day out; hateful, stupefying work, to which we bring nothing but resentment and from which we take nothing but hatred. Thus we spend eight hours each day — one third of our lives. We read the prison books: Tully, Lowry, Maynard, Booth, John Boyle O'Reilly, Jack London, Ed Morrell, Al Jennings; but especially Jim Tully. . . . One finds in them nothing but excitement, glamour, danger, brilliance. (Tasker's "Grimhaven," however, is a fine piece of work.) Well, not nothing but excitement; but at any rate chiefly excitement. We know that nothing could be further from the truth. Day after day we find that prosyness, inertia, stolidity, weariness and dejection are the prevailing qualities of our lives. The escapes and murders — the exciting things — are so infrequent as to be practically nonexistent. . . . Every minute of the day, all the year round, the most dominant tone is one of monotony.

Four o'clock. Yard time. Recreation. . . . We go from the stuffy shop to the colorless yard. In it is no blade of grass, no tree, no bit of freshness or brilliance. Gray walls, dusty gravel, dirt and asphalt hardness.

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We walk about, or during our first few months or years manage to throw a ball back and forth and in some degree exercise our bodies. The longer we stay here, the less we do. At last we merely walk at a funeral pace, or lean against a wall and talk.

We always talk. During the working hours, but even more so during the cell hours, we store up facts, reflections, broodings, so that our minds are overflowing. And every chance we get to unburden them, we avail ourselves of it. We talk *at* each other. We do not converse; we deliver monologues in which we get rid of the stored-up bubblings. We try to live through words and self-dramatization. Our essential need is for actual tangible living, which we cannot have; so we try to live by pretending to live in tall stories based on how we'd like to live, how we long to live. . . .

Four-thirty. Yard time is over. We march to our cells, taking with us the evening meal. The shop has been so enervating, so weakening, so downright devitalizing, that we are glad to go to our cells. We think, "Well, here's another day done. Another day nearer home. God, but it's good to get back to the cell!" In our hearts, however, we know that the cell is even worse than the shop; and that in the morning we'll be saying, "God, but it's good to get out of that damned cell!"

Chapter II

Remembered Conversations

THE student of human behavior, as he looks at the prisoner in the cell, is likely to ask himself: What is in that man's mind? What does he think about the crime he committed? Is he contrite and penitent? Is he merely sorry he was caught? Or is he full of anger and resentment against the forces of law and order and the whole social environment? What is his attitude toward crime, toward the policeman, toward the judge, the jury, the district attorney, and toward the whole subject of crime and punishment? Is he a man given to reflection and self-analysis? If so, what does he think about his own conduct, and about the circumstances and events which have influenced his own life?

The average criminal may be an ignorant, conceited, selfish person; he may be so dangerous to the welfare of the community that it is necessary for a time, to keep him in prison. The criminal, from a scientific point of view, like many persons in the free

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world, is a maladjusted individual. I have no illusions about him; but, on the other hand, I have learned that he is, like the rest of us, a human being who can behave only according to his intelligence, education, and general attitude toward life. Since his attitude toward life clearly reveals why he is in prison, I am willing to record it truthfully, for only then will it be of value to the penologist.

Generalities about the convict are no safer to make than generalities about the cornet player, the prostitute, the doctor, or any other class or group. A few general statements, however, are not only safe to make, but quite necessary to a discussion of the thoughts and attitudes of the convict.

It may be pointed out that since the convict is essentially the man whose life has been more or less warped and ruined, his thoughts and attitudes are greatly clouded by self-pity and wishful thinking.

An important factor in the creation of thought and attitude among convicts is the fact that there are in the prison world certain individuals who — because of former social, political or financial prominence; because of reputations acquired through newspaper notoriety during their careers and trials; because of intramural prominence gained through escapes, the holding of good prison jobs, or natural superiority in the form of physical or intellectual prowess — form what may be called a prison aristocracy, or upper class. Such individuals, regardless of their natural intelligence, education, or other claims to intellectual superi-

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ority, come to be regarded by their less highly endowed fellow convicts as oracles. Their thoughts and attitudes are as sedulously aped by the convicts of lower degree as those of Ford or Doctor Cadman or Hoover are aped by the citizens of lesser degree in the free world.

Moreover, the convict, like the free citizen, tends to choose his friends from among the persons whose tastes and prejudices most nearly agree with his own. Since, from the nature of his surroundings, the convict has extremely few chances of meeting persons whose tastes and opinions differ from and might stimulate his own, he tends more and more to associate exclusively with those of the same caliber, and thus gets into an intellectual rut out of which he rarely escapes.

The average convict is, like the average free man, intolerant of ideas and opinions which differ too much from his own. His conversation, therefore, is not the free discussion of ideas which may be had only among intelligent persons; it consists chiefly in loud and repeated assertions of whatever he happens to think or believe.

Thus, herd thought and opinion within the prison greatly influence the thought and opinion of the individual convict. In any community, orthodoxy is the price of peaceful living. In the prison community there are certain orthodoxies of belief which, however heterodox they may appear to the law-abiding citizen, form the chief tenets of convict opinion. It is

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well for the individual prisoner to keep within the limits of this orthodoxy, or at least to keep his heterodox opinions to himself. It pays to run with the herd, if peace is the goal. It so happens that one of the tenets of convict orthodoxy is that a convict must never give any information to a prison official or to the public. If, for example, some convict believes that an expression of his ideas about crime and punishment might be of value to society he will be sure to arouse the anger and resentment of the prison herd, unless his writings consist chiefly in denunciations of unpleasant conditions. This will always meet with the approval of the herd. To the extent that he truthfully exposes the facts about crime and the criminal, he can expect to be ostracized and generally considered a traitor to his kind. The natural reaction of the herd is, "Who the hell does he think he is? Does he think he's any better than the rest of us?"

This thralldom to orthodoxy is far more stringent in the prison world than in the free community and has far more disastrous effects. The man who in the free world arouses the ire of his neighbors by expressions of radical opinion can always move on to a more congenial environment, whereas the prison radical must stay where he is, for years or it may be for life, and face the hostility of his fellow convicts. This tends to discourage the individual prisoner who is capable of rising above the intellectual level of the prison herd.

One last word. Since the opinions and attitudes of

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rapers, murderers and one-crime prisoners in general are largely those of the average law-abiding citizen, they need not be repeated here. The attitudes and opinions which chiefly concern us now are those of the professional criminal. These I shall record as accurately and truthfully as I can. If the remembered conversations here recorded seem unduly besprinkled with foul language, I must ask the reader's indulgence. This is the habitual language of the convict, which I did not devise and do not hope to change. Undistinguished though these conversations may be for originality of thought or brilliance of expression, they are replete with fervent sincerity, and often with fiery-eyed fanaticism. At any rate, here they are.

ON JUDGES, COURTS, DISTRICT ATTORNEYS AND SUCH

Says a convict: "What a swell son of a —— that Judge So-and-So must be. Did you see yesterday's *American*? Well, here's what he done. It seems some farmhand is driving along the road in a tip cart. He sees a young kid about eight years old — a girl — playing out in a field. So he climbs out of his cart, the dirty bastard, and drags this little girl out into the bushes and rapes her. Only eight years old, she was, mind you. So what does this Judge So-and-So do? He gives this farmhand a spiel about how this kind of stuff has got to be stopped, and how he's going to make an example of this guy. And what does he give

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him but a lousy *six months*! Can you tie that? And here I am doing ten to fifteen years, and all I done was bust into a lousy drug store. But listen to this. Here's the beauty part. The very next guy that comes up before So-and-So is a guy that grabbed a hot car, a Buick or something. And what do you think So-and-So does to him? He hands him *five years*! Now do you mean to tell me that Judge ain't crazy? Why, the dirty slob must be crazy. Either that, or he's a rape fiend in his heart. How else can you figure it?"

"Yeah," says another, "he's as crazy as a bedbug. There's no doubt about it. But look at this here, now, Mancuso, or what's his name, in New York. I see where they've got him in the satchel for fixing cases and grabbing a bunch of cash. I always knew he'd grab a hot stove if he thought he could get away with it. Hell, they're all a lot of grafters. They're even worse than we are. At least, we don't make out we're any better than anybody else, and we don't get paid for upholding the laws, like those guys. And the stinking bastards send the likes of me and you to prison while they're out there grabbing off more dough than we'll ever see in our lives!"

"Well, what of it?" says a third. "Wouldn't you rather have 'em like that? Didn't you ever kick in with a few bucks to save yourself from going to the can [prison]? If those guys were honest, you and me'd be spending all our time in places like this. Good luck to 'em, I say. Let 'em grab all they can get. It's all o.k. with me. Society? Damn society! What did society

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ever do for me? Any time I get pinched, and there's a crooked cop, or district attorney, or judge that will put me on the street for a few bucks, believe me, I'm tickled to death to kick in with it."

"That's all right," says a fourth. "If it only costs a few bucks to square up a case, I wouldn't mind. But Jesus Christ! Those guys don't talk any numbers that I can get my dukes on; all they talk is box-car numbers. Nobody but Al Capone, or some of those guys, can afford to kick in with that kind of dough. And then, somebody's got to go to prison, or those judges couldn't hold down their jobs. And we're the poor slobs that hit the big house — you and me are the suckers."

"Yeah," says Number Five. "They're all out for the old do-ray-me. Steal a million and you'll never hit the can. But get a pinch when you haven't got fall money, and have to take one of them cop-a-plea lawyers the court hands you, and where do you get off? Look at me, with a sawbuck to do, and them Page and Shaw swindlers (they had plenty of dough) get off with a lousy couple of years down the Island. Guys like that get away with murder; and the same judge that gave them the deuce handed young Sobrowski thirty-five to forty! And the chump kid's only nineteen years old. He'll be a lot of good to anybody by the time he's packed that bit away!"

"And what the hell do they know about prisons, anyhow?" asks Number Six. "Most of 'em never even saw the inside of one. They don't even know what

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one looks like, let alone what it feels like to pack away five or ten years in the can. They ought to make every one of the lousy crumbs do a six-month bit before they go on the bench. Then maybe they wouldn't be so goddam free with the years they hand out. And the likes of those guys — guys like this So-and-So, and district attorneys like Tufts and Pelletier, and cops like this Garrett, and all those guys — they're supposed to be guys for us to look up to and copy! Every other one of the bastards is a cheap grafter. And then they expect the likes of us to be honest!"

"Sure," says Number Eight. "It's the same everywhere. Look at the prison officials, especially the guards. They're mostly a lot of bums that happened to have a friend with a little political pull. Most of them never had any education or anything. If they had to go out and *earn* their living, they'd starve to death, unless they happened to find jobs cleaning cuspidors, or something like that. Take that big stiff of a Gledron that was on in my wing last night. A couple of guys happened to be talking after lights out. Now you wouldn't mind if he'd go down there and tell them in a half-civilized way to stop the racket. But what does he do? He goes down there and don't even know who was making the noise. He just stops at the first cell he happens to think is near it and starts to bark and snarl at some guy that was minding his own business. And when the guy tries to tell him that he wasn't talking, So-and-So yells at him, 'Don't shoot off your mouth to me, or I'll run you down to

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the cooler and let you try some bread and water!’ The dirty, lousy little bastard. He goes down there and gets tough with a guy he wouldn’t even dare to look at if he was outside, where the guy had an even chance with him. He acts like a tough guy, in here, and he knows goddam well that almost any man in the place could knock his ears off in a fair fight. I hate a guy like that. Guys like him — and there are plenty of them here — know that they’re only a lot of tripe. They know we had more dough, and everything else, when we were out, than they’ll ever have, and it burns them up; and they take out their spite on any poor slob that happens to get into a little jam in here.”

“You said it, pal,” says Number Nine. “They’re a pretty low-down lot. I don’t say they’re all like that. Take Hannon, and Old Man Donovan, and guys like that; they’re pretty square shooters, and give a guy a break. But how many guys like them are there? From the warden down, chaplains and all, they’re a pretty lousy outfit. All they care about is if the count is right and to have no riots; outside of that, we could all rot to death, and they wouldn’t give a fiddler’s so-and-so for us. And the line of crap they hand out to the papers and the women’s clubs. ‘We try to use our men right over here at Charlestown,’ and all that kind of stuff. When, as a matter of fact, they don’t do a goddam thing for us except let us have three half-arse meals a day and a cell to sleep in at night. And they think that’ll reform a guy. Don’t that give you a pain in the neck?”

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"Sure does," says Number Ten. "Still and all, I s'pose they's got to be laws and judges, and like that. Christ, if they wasn't any, think what would happen. Everybody'd be runnin' around stealin', rapin' and killin' everybody else."

"Says you," says Number Twelve. "To hell with laws and judges. I say let every man look after what he's got. I'd like to see anybody try to steal anything off of me."

"Huh!" says Number Eleven. "I'd like to see you get clipped for something. You'd put up such a screech that they'd hear you way out in Australia! There's nobody that can holler as loud as a thief that's been beat for something."

"Sure, you've got to have laws," says Number Twelve. "But not these kind of laws. Why don't they make 'em right? And why don't they go just as much for one man as for another? Take it when one guy comes up before one judge and gets six months, while another guy comes up before another judge and gets six years, and they're both convicted of the very same crime. Or take it in the South, or lots of places. They's a lot of young broads running around wild, aching to get stayed with. They've been there before and want to be there again. Suppose you or me come along and meet up with one of them broads. It doesn't matter if she grabs right hold of you and begs you, it's rape if she happens to be under sixteen, or eighteen, or whatever the law says in that State. Do you call that right?"

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Not only that, but almost any broad that gets caught, all she has to do to save her face is holler rape, and the cops and juries always take her word for it. Take these here four coons from wheresis. They want to get off the squash, so they fix it up with this white broad to take on the whole four of them. She fixes them all up and they pay her for it. Then, when her old man hears about it, she hollers rape, and the four coons wind up getting twenty to twenty-five years! Ain't that a swell come-off?"

"Yeh," says Number Thirteen. "And look at all these so-called business men — these bucket-shop guys and stock swindlers and embezzlers. They swindle widows and orphans and poor people out of their savings and insurance money — but did you ever hear of one of them getting a bit like ours? Not on your life. They get a lousy couple of years; and when they come to prison, the warden and the screws fall all over themselves giving them all the good jobs and all the best breaks. In the first place, the laws don't let a judge give them the bits they can give us. No. The laws were made by lawyers and business men and bankers and the like of that. I think they're the lousiest bastards in the world. I may be a thief and all that; but, by Christ, I wouldn't steal my money from a widow or an orphan, or from poor people. Next to raping a young kid, I think theirs is the lousiest racket in the world. Those guys do some real harm. They put banks and whole communities on the bum, while all

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we do is beat some guy for a few bucks that he can easily afford to lose. And all they get is months, where we get years."

"And that wouldn't be so bad," says Number Fourteen. "But when those guys and the rapers come up for parole, they're just the bastards that are turned loose. The parole board doesn't want to let us go. No. We're too dangerous. A regular thief hasn't got a chance when he goes up for parole — not in this State. The thing isn't a parole board, anyway. A board is where three or four people discuss a case and then take a vote on it. But here it's all So-and-So, and what he says goes. The rest of them are only figure-heads; they haven't got any more to say about it than I have or you have."

"And where the hell," says Number Seven, "does this guy So-and-So get off at, to tell us how much time we have to do? When a judge hands me twelve to fifteen years, he knows that under the law I am eligible for parole in eight years. He believes that I shall serve only eight years; that's why he gives me that sentence. But what happens. If I am a thief, instead of a raper or a swindler, So-and-So makes me serve at least ten or twelve years, instead of eight; and if he gets it in for me, he makes me serve the whole goddam fifteen, if I've been locked up once for a petty violation of prison rules (which is all he needs as an excuse). Now who the hell is So-and-So that he should have all that power? They say he's nothing but a small-town guy who happened to be a neighbor of

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Cal Coolidge's, or something. He used to have a little express business, running trunks back and forth from the hotels and theaters to the railroad station. Does that make him the kind of a man who should have all that power? In a pig's neck! The proof of it is the way he acts. He never lets a man out if he can help it; that's why the goddam prison is so crowded that they're sleeping three in a cell over in Cherry Hill. Just look at the power that man has got. Say you come here with a three to ten-year bit. You serve three years of it, and go out on your minimum sentence, with a seven-year parole time over your head. He hands you a set of rules that not even a Y. M. C. A. faggot could live up to, and then expects a man who hasn't had a drink or a piece of femme for years to keep those rules. Why, I'll bet he can't live up to them himself. Then, if you get caught drunk, or out with a broad, any time before that seven years is up, he can take you back to Charlestown and make you serve the whole goddam seven years! Why, a judge couldn't make you serve that much time for those offenses. Is it right for any one man to have all that power? There isn't one man in a thousand that's fit to have it. With So-and-So, it's gone right to his head. It's the only power or prominence he ever had; and he's got so that he thinks he's God, or something."

"That's the truth, pal," says Number Five. "A lot of those guys get that way. Take the average screw [guard]. Outside, he's next thing to a bum. But he gets a job here, and gets a little authority, and first

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thing you know, he's running around with a chip on his shoulder, as if he could lick Dempsey. Or take the average district attorney. Take that crazy bastard that was over in whatsis county only a little while ago — So-and-So, I mean. What does a guy like him do when he gets into office? The first thing he looks at is the record of the man that had the job before him. He says to himself, 'Hm, 2750 convictions in one term. Well, I'll have to knock hell out of that record if I want to make any kind of a showing.' Then, no matter what the case is that comes up before him, all he is interested in is whether he can get a conviction — somehow, anyhow. He doesn't give a damn about the poor slobs who get pinched in his county — all he cares about is the record he can make at their expense. He's like a salesman, or something, trying to put across more deals than his rivals."

"You may be interested to know," says a prison scholar, "that the district attorney was originally elected or appointed as the friend of the common people. In the days when the judges were all appointed by the wealthy lords of the manor, the rights of the people were frequently disregarded by these prejudiced judges. So the office of people's attorney was created, the duties of the people's attorney being as follows: he was to examine all the evidence in a given case and arrive at the impartial truth about it; and to see that no innocent man was unjustly punished; and that the rights of the common people were not infringed upon by the wealthy lords. To-day, however,

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the office has become corrupted to the extent that the district attorney merely uses it as the means of self-glorification, personal aggrandizement; as a stepping stone to political or judicial advancement. By having his name bruited about in connection with notorious cases, and by securing a record for fast and harsh decisions against a few penniless criminals, he hopes to have himself made mayor, or governor, or judge, or whatever his private ambition happens to be. His object, in our day, is not to discover the truth about a case, but to secure, by any means, a conviction."

"Correct as hell, Professor," says Number Ten. "But you forgot to mention what a lot of thieving bastards they are, most of them. There isn't a big city in this country to-day in which the courts, especially the district attorneys' offices, aren't corrupt as hell. Remember Tufts and Pelletier and that mob in Boston? They were busy shaking down millionaires and nol-prossing cases right and left at so much a head — and at the same time they were busy sending us poor bastards to the big house — and the whole lot of us here didn't steal as much money in our whole lives as any one of that mob knocked off in a month. Most of the district attorneys around the country are doing the same thing right now; but they've got it down to such a science that they hardly ever get caught. Look at Chicago. And didn't they send the district attorney of Los Angeles County to San Quentin only a little while ago?"

"Well," says an old-timer, "what I say is, every-

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thing's a racket nowadays — lawyers, judges, district attorneys, welfare workers, ministers, mayors and governors (look at Walker, for instance). They're all out for the dough, just like we are. If they can get away with it, I say good luck to them. I'll steal all I can, and if I get caught, I'll take what I get without any squawking about it. We know that we're taking a chance when we start out; and there's no use trying to whine about it after we wind up in prison. It's all in the breaks. You can steal for ten years and never take a fall; then all of a sudden you'll get nothing but tough luck for the next ten years. It's all in the racket."

"Speaking of welfare workers," says Number Twelve. "Look at this Miss So-and-So they've got working for the home department. All she does is runs over to a guy's wife's house and tells his wife that he's in prison, and that he's no good anyway, and that she might as well divorce him, now that she's got a good chance to do it. If the wife happens to be hard up for dough, and asks for any help, what do they do; they turn her over to the Department of Charities and make her go after it as if she were a goddam tramp."

"I can't understand those people," says Number Nine. "They talk all right, and they seem all right; but when you come to look at it, what are they really doing? They're simply making a job out of it — and a pretty soft one too. They get paid for doing these things — and the only guys they seem to help at all

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are these goddam degenerates that are up there in the guard-room. A regular guy has got too much pride to go near them — and they don't seem to be able to tell a good guy from a dummy head. I suppose they're just too lazy to try. Long as their job goes on, and somebody signs slips for the dough they spend, it's all the same to most of them, I guess. There was one of these welfare broads used to come over here, I remember. She picks out the lousiest bastard in the whole place — a guy with the syph, that had raped a young girl — and she not only helps him to get a pardon, but I'm a dirty bastard if she don't marry him when he gets out! Now, how can you figure a broad like that? She must have just been so hard up for a man that she was ready to take any guy that would take her."

"Yeah," says Number Nineteen, "and what about the ministers? Take the chaplain here, for instance. He's supposed to be a Christian, and all like that. But what does he do for us? Not a goddam thing except give us a bum sermon every Sunday. Ask him really to do anything — and you find out he's just another one of the solid 'administration' bums. I guess the whole story is, they're all afraid of their jobs, the poor bastards. They're told to mind their own business and not get too familiar with the cons; and it costs them their job if they don't do as they're told. You can't blame 'em, in a way. But what I say is, guys like that shouldn't be working here. We need *men* — guys that have got some guts, and aren't

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body can do for a guy when he's in the can, anyhow, when you come right down to brass tacks."

"They sure drive a guy dizzy, at that," says Number Four. "Visits and mail. They never come on time. If they say they'll write or see you on Monday, you're lucky if you get a letter or a visit by Saturday. They don't stop to figure how a guy feels in here, running around waiting for them, getting shaved and having a clean shirt ready. They figure, 'Hell, he ain't going anywhere, anyhow, so what's the difference.' "

"You said it," says Number Nine. "And they always want to tell a guy what he should do, and like that. Why don't they mind their own business. I never try to tell them what to do. Where does my old man get off, anyway. He's been a letter carrier all his life and spends every extra dime he gets for beer. He's never been anywhere, or seen anything. What does he amount to? Hell, a guy only lives once. Believe me, when I die I want to be able to say that I lived. I've had enough liquor and lays right now to last me the rest of my life, if I never get any more of either. But what has my old man ever had? And where does he get off to try to tell me how to live. I'd rather be in the can half the time than be a poor working stiff like him."

"What I say," says Number Fifteen, "is live your own life. The way I look at it, when a guy's out on the racket, he's a sucker to have anything to do with working stiffs. What good can they do a guy? Not a bit. When I meet a guy, I say to myself, 'Now who is

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this guy, and will he ever be able to do me any good? And if he's some kind of a big shot or a politician, or something, I make it my business to get right in solid with him. You never can tell when a guy like that will come in handy; and what's the use of having friends if they can't help you out when you get in a jam? Where do you think I'd be right now, if I didn't know a pile of pollies and big shots? I'd be doing twenty-five to thirty, or something, instead of three to five."

"Sure," says Number Eight. "Same way in here. These stew bums and working stiff, what the hell good are they? If you know a guy that works in the storehouse, where he can get you a steak now and then, that's all right; but the rest of these bums — what the hell, you'll never see the likes of them again, once you're on the street. So to hell with them. A guy has got to look out for his own interests when he's in the can, or out on the racket."

"And take these screws," says Number Three. "The only ones I care a rap about are the ones that'll take out a letter for a guy, or bring a guy in some swag now and then. To hell with the rest of them. I know some of them ain't bad guys; but when you stop to figure it out, why, they're all screws; they all take the oath, and are ready to shoot you or me if they see us trying to crash the wall. So how the hell can you have anything to do with a guy that you know will give you the works if he gets a chance? They're all alike, that way. Thing is, some are worse than others."

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"That's right, pal," says Number Five. "And as far as these broads are concerned — no more for me. They only get a guy into trouble. They spend all your dough and leave you flat when you're broke. And if the dicks are after you, all they have to do is trail your broad, and in the end they'll get you. Naturally a guy has got to get off the button now and then. But when I get that way, I'm going out and dig me up a broad for the night and throw her out with a ten-dollar bill in the morning. But no more living with them. Not me! Christ, what do most guys steal for? If you take everybody's case in here, rapers, murderers and all, and trace them back far enough, you'll find out that ninety-nine times out of a hundred there's some broad at the bottom of it. So I'm going to cut them out when I get out, believe me. I'll get one when I need one, and that's all."

"That's all very true," says Number Five. "But goddam it, a guy can't live without them. Not when he's had to go without his fixings for years, like we have. No matter what you plan to do, you go out and run into some sweet little thing with big blue eyes and blond hair — and bing! You're gone again. You just can't help yourself."

Close by, just near enough to have overheard a part of this conversation, stands another group of convicts. Says one of them:

"These guys that are always belly-aching about their bits and their broads give me a pain. If they think so much of their mothers and wives, why the

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hell don't they cut out stealing and keep out of these joints? And as far as the broads are concerned, there's many a poor bastard right in here that can thank Christ he's got a broad to send him a few bucks now and then. There's many a broad, take it from me, that's gone right out and peddled herself to get dough for these guys that are putting broads on the pan. Many a guy wouldn't even have had the price of a lawyer if some broad didn't give it to them."

"You're right," says another. "And did you hear So-and-So cracking about friends who could do something for him! He didn't say anything about him helping them, did he? There's a hell of a lot of guys in here that figure things that way. But what the hell, a guy don't pick his friends most of the time. They're his friends because they like him and he likes them; that's the way it goes most of the time; and it doesn't matter a damn whether they can help him or not. The thing is, if a guy is right, he'll always have friends, and if he isn't, he'll never have any. Notice these guys that are always beefing about their friends laying down on them, and you'll find out they're generally such low-down bastards that they've lost all their friends for that very reason. And as far as a guy's family and wife are concerned, I claim that a family man has no business to be out on the racket, getting into jams, disgracing his people. It's bad enough when you're all alone and have nobody else to consider."

I could go on like this for whole volumes, record-

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ing bits of remembered conversations. But why go on? It must be clear by this time that the conversations of the average convict are full of destructive criticism, cheap cynicism, wishfulness and self-pity. There are, it is true, convicts who are intelligent enough and intellectually honest enough to have thoughts and attitudes far superior to those here recorded; but as they are in such a very small minority, they hardly affect the discussion, since my object is simply to reveal something about the mind of the average convict.

It may be added (or should I say repeated) that in any discussion which comes up, the average convict's reaction is, "How does that affect me?" Unless it threatens his comfort, safety or vanity, or promises to ameliorate or shorten his term in prison, he is distinctly uninterested. The discussion of ideas for the sake of arriving at truth, or acquiring knowledge, has no zest for him. As has been shown, his conversations consist, not in that free exchange of ideas and opinions which characterizes the discussions of intelligent persons, but in loud and repeated assertions of his own personal prejudices and beliefs. As may have been noted, the language of the average convict is foul in the extreme. This foulness, however, serves a useful purpose; it enables the student to judge of the amount of sincerity behind any assertion; for the more strongly a convict feels, the more fervently he swears! Finally, as a discerning friend once remarked, it will be noted that the convict does not talk with but

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at his listener. Which reveals that he is not so interested in taking in advice or knowledge or information as he is in merely making a noise and being heard. This, of course, is a symptom of that essential egotism which is characteristic of nearly all professional criminals.

Chapter III

Reforming the Criminal

THE published utterances of leaders in the international prison reform movement during the past twenty years show that professional penologists now subscribe almost unanimously to the following articles of faith:

I. That it is economically and biologically wasteful, dangerous, immoral, and on the whole uncivilized, to imprison the criminal merely to exact vengeance for the harm he has done society.

II. That the true purpose of imprisonment should be the eventual rehabilitation of the criminal, for the eventual benefit of society.

III. That the task of the prison should be, therefore, not merely the temporary protection of society through the incarceration of captured offenders, but the transformation into law-abiding citizens of as many criminals as possible.

IV. That the old method of treating the criminal

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is entirely wrong, since it fails to take into account the many problems presented by individual criminals, and that the world of the prison is not one which prepares them for the free world.

V. That a proper method of treatment should be based upon careful and exhaustive study of individual criminals.

VI. That prisons should be remodelled in accordance with these ideas.

Thus, the declared purpose of modern prison reform, one gathers, is: *To make the prison an institution which will reform the criminal.*

As I sat in my cell, year after year, reading the articles, books and speeches in which the penologists were enunciating this doctrine, I waited eagerly for some sign of change in the actual administration of the prison. But nothing happened. I waited in vain.

For I am obliged to record the fact that, during the years I spent in the state prisons of New York and Massachusetts, not a single attempt was ever made to reform me, and that I did not see a single attempt officially to reform criminals as an aim of prison administrative policy.

I remember, in this connection, talking one day with the late Thomas Mott Osborne about the prison-reform movement. He said, among other things: "It is so discouraging. People flock to the meetings; they are remarkably sound in their responses; they are shocked, moved, indignant at the right moments;

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they applaud vigorously; they come up to the rostrum after the meeting and offer their money and services; and then — they go to their homes and forget all about it. They simply will not *do* anything."

For a time I was inclined to accept this explanation; that people in the outside world are simply indifferent about prison conditions. But lately I have been persuaded that it is not mere indifference, but actual satisfaction with existing conditions, which is responsible for society's delay in changing the prison "from a human scrap-heap into a human repair-shop." It must be, I have decided, that the majority of people still believe in the ancient doctrine of "an eye for an eye, and a tooth for a tooth," and regard the prison as the place where the criminal shall expiate his sins.

If, therefore, the real (as it is the declared) object of imprisonment is the reformation of the convict, then, as matters stand at present, the American prison is a most abject failure as a social institution.

It is banal to state that in order to fulfill the reformation purpose the prison environment must be greatly altered. Yet, whenever any attempt is made to do so, there instantly arises a loud and persistent chorus of criticism, mainly from the daily press. The cry of pampered criminals, "men's clubs" arises and feeds the average law-abiding citizen's hatred of the criminal.

This is not to say that the criminal should be pampered and petted, or that the prison should be made

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a cross between a night club and a health resort. Neither is it to say that the prison should remain a steel-barred stone coffin, as it continues to be in most states. It is simply to say that before the prison can achieve its object many substantial changes must be made; and that it will be well for the arm-chair critics, who create such a disturbance at each attempt to make such changes, to realize that their prejudiced criticisms are of great harm, in the end, to that society of which they themselves are a part. For not until these changes are made will the prison be able to transform the criminal into the citizen.

I pause here to discuss a very apropos statement (from Warden Lawes's "Twenty Thousand Years in Sing Sing") which I find quoted by Harry Hansen in the June, 1932, issue of *Harper's*. As quoted by Hansen, Warden Lawes writes: "It is a fact very little appreciated by the average citizen that three out of every four prisoners from State prison do not return for new crimes." Even if this happens to be true of Sing Sing, where Warden Lawes can hand-pick his prisoners, sending long-termers and old offenders to Auburn or Dannemora, it most certainly is far from true of the average prison. And if he means by this statement to imply that there has been a marked decrease in recidivism, he is talking nonsense of the most misleading kind. It may be true that many ex-convicts do not return to the prison whence they were discharged. Some of them die; others leave the country; others again keep on stealing with prison-bred

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caution and do not get caught ("Legs" Diamond, for instance, must have been carried on the books of some prison as a man who did not return for new crimes); and still others go to prison in other states, their whereabouts unknown to the prison whence they were discharged unless they happened to be in arrears for unfinished sentences. This surely cannot be taken to mean that they do not commit new crimes; and consequently has no bearing on the question of recidivism. It will be noted, in any case, that Warden Lawes does not say they become law-abiding citizens! But the essential danger of so careless a statement is that it may lead the unwary to believe that the percentage of recidivism is only twenty-five per cent. I should like to ask Warden Lawes what statistics he can show in support of this statement. It may interest him to know that just a short five years ago, during research for an article on the extent of recidivism in American prisons, it was my tedious chore to examine quite a sizable batch of books and statistics, including the latest United States Census Report. From these sources I discovered that recidivism ranged from forty-nine per cent in one prison to seventy-five per cent in another, and that the average percentage, as nearly as I could determine it to be, was about sixty-five per cent. In no prison did I find a percentage anything like as low as twenty-five per cent. The lamentable fact seems to be that about *two out of every three prisoners from state prisons do go out and commit new crimes*. Unfortunately, there are no

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really reliable statistics on the subject. With the prison authorities the keeping of such important statistics is usually left to some lazy and incompetent guard; in prison they are accurate chiefly in counting the prisoners at stated times. With the parole and probation officials, figures are frequently juggled to make out a successful case for the proponents of parole and probation. In my research, I have run across no statistics which I consider wholly reliable and accurate. But from my personal experiences and observations, and the statistics I *have* examined, I am certain that Warden Lawes's statement is as inaccurate as it is misleading.

To prove that existing statistics, incomplete and inaccurate as they are, nevertheless refute the quoted statement from Warden Lawes's latest book, I examined (September, 1932) the latest corrected copy of the United States Department of Commerce Bulletin (Bureau of the Census) for 1928. In this bulletin it was stated that of 48,212 prisoners received, there were no reports as to recidivism in the cases of 18,918! (This shows how carelessly statistics are compiled by the present crop of incompetent wardens.) Of the remaining 29,294 prisoners in whose cases there were records as to previous commitments, 16,543 (or 56.5 per cent) were recidivists — which indicates a percentage at least twice as high as that inferentially contained in Lawes's statement.

Just a few days ago the Massachusetts Commissioner of Correction, Doctor A. Warren Stearns, con-

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sulted his records for the latest available year (1931) and told me that the percentage of recidivism among the inmates of the State Prison at Charlestown was 59.7 per cent — which is also more than twice as high as Lawes places it.

I know, moreover, how prone the average prison warden is to understate the case in his official figures. He hates to admit that his prison is so abject a failure in its declared purpose of reforming the criminal. I maintain, therefore, that the *true* percentage of recidivism is between 65 per cent and 75 per cent in the prisons of America, which is exactly the reverse of the state of affairs according to Warden Lawes.

This I very much regret; for Lawes, if he has nothing particularly original or startling to say, has in late years been a consistent worker in the cause of sound prison reform, and it is thus doubly deplorable that he should be guilty of such careless writing. The general tenor of his latest book, or so I gather from Hansen's review of it, leaves no doubt in any one's mind, however, of the pertinent fact that the prison has so far failed in its avowed purpose of transforming criminals into law-abiding citizens.

Existing statistics, as I have above stated, show that it fails to achieve its object in approximately two out of three cases. What are the reasons, aside from the indifference or hostility of public opinion, for this failure? It is my belief that there are three major reasons: (a) politics; (b) the attitudes toward ref-

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ormation of the prison officials; and (c) the attitudes toward reformation of the criminals themselves.

Let us examine these three reasons in the order named.

Adequately to gauge the effects of politics upon the plan to reform the criminal it is necessary to go to the very top of the governmental structure of the State. The governor appoints the prison commissioner. The prison commissioner establishes the prison policy. The governor must support the commissioner, when newspapers or political enemies seek to embarrass the governor's political party, during real or fictitious "crime waves," by unwarranted criticism of the prison administration. But since governors are generally not only human but politically ambitious, the average governor will support the commissioner only up to that point beyond which his support might react to his own political disadvantage. Beyond that point he will rarely give his support. Thus, let the commissioner be the ablest, most intelligent penologist on the face of the earth, his freedom to establish a sound prison system will depend very materially upon the political fortunes of the governor. This is less true of States in which a civil service commission regulates appointments; but by and large the commissioner's freedom conscientiously to do his duty remains a matter of political accident.

One or two fairly recent instances of the baleful effects of politics occur to me. Every one remembers, I daresay, the attempt of the New York politicians to

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ruin the ablest, sincerest, most enlightened prison reformer of his day. They secured the indictment by a Grand Jury of Thomas Mott Osborne, in 1916, on a charge of perjury growing out of his refusal to recognize the authority of a *member* of a committee of investigation appointed by Governor Whitman. (According to the terms of the appointment, *one* member had no power to conduct an individual investigation.) This indictment was deliberately distorted by newspapers of the political opposition into something more sinister; but after spending more than fifty thousand dollars on high-priced lawyers in preparation of his defense, Mr. Osborne was publicly exonerated by the district attorney of Westchester County, who had secured the indictment. (This man was years later disbarred and sent to prison for being implicated in the corrupt activities of certain bucket-shop brokers.) Although this plot failed to ruin the intended victim, who proved to be too strong a man to be thus lightly brushed aside, it nevertheless retarded the state-prison reform movement by at least ten years. Except for this piece of political skull-duggery, the late riots in Auburn and Dannemora might never have taken place, and the prisons of New York might now be in as good a condition as those of present-day Russia or Germany, whose prison systems are based upon the very ideas Osborne worked so hard to incorporate into the New York prison system.

That was sixteen years ago. But only eight years ago (in 1924) a similar piece of political corruption

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set the Colorado prison-reform movement back somewhat disastrously. It may be remembered that in that year the Governor of Colorado appointed a committee to investigate alleged intolerable conditions in the Canyon City Prison. As it happened, the warden of the prison was the governor's political enemy and had a great deal of strength in his political party. He not only refused to permit the committee to enter the prison, but told the governor (in effect) to mind his own business. The committee interviewed a number of former convicts and submitted a tentative report recommending the removal from office of the warden. The governor dismissed him from the wardenship. But the warden not only refused to be removed; he actually barricaded himself within the prison and successfully defied the governor to remove him. And at the next election he made a political issue of the matter, and because of his political strength was able to defeat the governor (and the establishment of a sound prison system) at the polls. This is an extreme case, of course; but it illustrates very well the manner in which party politics affects prison reform.

That was eight years ago. To bring the condition down to the present day, we have the case of the Governor of Massachusetts who, because of the presence on his Council of a majority of the opposite political party, has so far been unable to remove from office a prison official (the chairman of the parole board) who, he asserts, is unfit for the job. Whether

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or not the official in question deserves to be removed is beside the point. The fact is that, because of party politics, the governor is unable to remove a man whom he considers incompetent, and appoint a man whom he believes capable of properly performing the duties of that office.

There is, I hasten to add, nothing new about this condition. I remember reading a Report of the Prison Directors of Massachusetts, published in 1823, in which the malign effects of politics upon the prison system are quite colorfully commented upon. But if the condition is not new, it is certainly more dangerous in these lawless times than it has ever been in the past. Now, as never before, society is in need of a prison system which — by reforming as many criminals as possible — will protect her from even greater lawlessness in the future. So long, however, as the condition remains unchanged; so long as the establishment of a sound prison system depends so greatly upon the accidents of political careers, it is somewhat unreasonable to expect anything worth while in the way of sound prison reform.

Let me state the importance of the case of the prison officials in a nutshell. Once the criminal has been apprehended, almost any lawyer can present the evidence against him to a jury; and once he has been convicted, almost any person with legal training can sentence him in accordance with existing laws. In both cases the problem is mainly one of technicalities of procedure. But when it comes to the execution of

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the sentence itself — there is a real difficulty, if the sentence implies reformation.

To the warden of twenty years ago his job was a simple matter. He merely had to hang, electrocute, or keep the criminal.

But a new conception of the duties of the prison has entered into social consciousness: that the prime function of the prison is re-education; this necessarily requires the highest type of educators. Who are the educators whom American society actually selects?

Let me describe some of the men whom society has actually selected for this important task. Since they were of such various types that one was a habitual drunkard while another was a university graduate, whom I have always considered a truly great man, I shall make no attempt to write a personality sketch of each subject, but merely to indicate to what extent they were men capable of being good prison wardens.

The first one — let us call him Bruce — was a big raw-boned Scotsman who became a prison guard very soon after he arrived in America. After fifteen years as a guard, he became the deputy warden of the prison, and upon the retirement of an old warden, succeeded him in that position. He was to all intents and purposes illiterate (the prison clerk often covers a multitude of educational defects in the warden). But if he was ignorant and normally inarticulate, he was eminently honest and fair, if a bit stern, in his dealings with prisoners. Having been a steady, but moder-

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ate drinker all his life, in his later years when he was incurably ill, he became practically a habitual drunkard. He spent most of his last days in a speakeasy located within a stone's throw of the prison, and during the last two years of his term was seen only six or eight times inside the walls. He was warden for about five years. During that time he did not make a single important change in the prison regulations, and during his last two years left the administration of the prison almost entirely in the hands of the prison clerk and the deputy warden. Despite his constant drinking, and the fact that it was common gossip among prisoners and guards that he was drinking himself to death, Bruce never permitted himself to be seen intoxicated within the prison. I am frank to say that I liked and respected Bruce a great deal, as a man. He was personally honest and aboveboard (what we called a "square-shooter"), entirely above personal meanness or spite, and wholly trustworthy. But as a warden, I am equally frank to say that I disliked him greatly. He was unqualified by education or natural intelligence to be anything better than a good prison guard. He was stupid, incompetent, with no faintest conception of a higher duty than the literal execution of the court's sentence. His attitude toward ideas — even in the field in which he might be expected to be interested — is very well illustrated in the following bit of conversation I once had with him. A friend had sent me two books: Dostoevsky's "Crime and Punishment" and Osborne's "Society and Prisons." The

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warden had sent me word that I would not be allowed to receive these books, and I had sent him a note of protest in which I asked for an interview in which we might discuss the matter. I found Bruce waiting for me in the guardroom, idly thumbing over the Osborne volume. I could tell from the expression of his face that he was very suspicious of a man who wanted to read such books. Was I a prison agitator or merely a harmless "nut?"

"You know, Victor," said Bruce, "books like these here, well, we don't allow them in here. There's a rule about that. What do you want with them, anyhow?"

"I want to read them," I said. "I've heard a great deal of talk about them and am interested in the subjects they cover."

"That's all right," said Bruce. "But you know there's a rule about it. We can't have books like this kicking around the place. They're li'ble to put ideas into the boys' heads."

"As far as the rule is concerned," I said, "you made it yourself, so I guess you can break it if you want to. And I have no idea of letting these books get kicked around the place. What's wrong with these books, if you don't mind telling me? Why do you object to them?"

"Oh," said Bruce, waving a stubby hand as it were to indicate the futility of trying to answer so ridiculous a question. "This kind of stuff is — well, it's silly. You know what Osborne is — "

"Well," I ventured to interrupt him, "no matter

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what you may think Osborne is, I have been told that he has some very good ideas, and I'd like to study them. By the way, Warden, have you read this book yourself?"

"Bless ye, lad!" said Bruce, slapping his thigh and giving vent to a deep chuckle. "I've got no time to be wasting on stuff like this. You won't find many old-time prison men paying much attention to a feller like Osborne. D' ye think, now, he can tell *us* anything about prisons? Ha, ha, ha!"

"No," I said, "and that's just the trouble. None of you old-time prison men will listen to anything new, or —"

"Tut tut, now, Victor," said Bruce, aware that I was about to wax sarcastic. "Keep your shirt on, my boy!" He looked at me intently for a minute, then added, "I tell you what I'll do, Victor. I'll let you have these here books for a few days. You take and read them yourself; but don't pass them around among the men. When you get through with them, bring them back to me, and I'll put them away until you go out. Is that all right?"

"Yes, Warden," said I, knowing that in a few days he would probably have forgotten all about them. "Thank you very much."

The man was not only opposed to new ideas, he was quite devastatingly uninterested in them, deeming it the very quintessence of the ludicrous that I should have asked him to read a book about prisons. He was simply an ignorant, unintelligent, well-meaning man,

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in no way capable of being a good warden; he was essentially nothing but a glorified turnkey.

Crossett — as we shall call the second warden — began his career as a patrolman on a city police force. On being accused of having attempted criminally to assault a girl who lived on his beat, Crossett resigned from the force, and in time got himself accepted as a prison guard. After this poor start, it seemed unlikely that he would ever rise higher; but Crossett had political connections, and after about fifteen years as a guard was made deputy warden when Bruce was made warden. He was a corpulent, excessively pompous man, vastly self-important and addicted to making allegedly humorous remarks at which the prison toadies — guards as well as prisoners — were expected to roar with glee. Having become deputy warden, he was satisfied, at first, never expecting to become warden, since Bruce appeared to be a very healthy man. But appearances were deceitful, and Bruce became an incurably ill man and proceeded to drink himself to death. During the last two years of Bruce's term, Crossett was warden in everything but name; and during this time, he devoted most of his energies to building up his political connections; so that when Bruce died, it was inevitable that he should succeed him. As warden, he was very much like Bruce except that he was a more suave man, always careful not to offend any one — prisoner or governor — who had the power to frustrate his remaining ambition (which was to retire as quickly as possible on the half-

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pay of a warden). He made one or two minor changes in the prison regulations; but, like Bruce, did not feel bound to treat his charges as anything other than criminals who must be sheltered, clothed and fed, and prevented from escaping, for specified periods of time. Unlike Bruce, who was wise enough to perceive that selfish motives usually actuate the informer, Crossett depended almost entirely upon "rats" to keep him informed as to the activities of prisoners and guards alike, and greatly favored them in the matter of good jobs and special privileges. For this he was disliked, as well as for his general unreliableness. He was in all things typically the small-town politician, smoothing his way along with meaningless promises and empty talk. He was known variously as "The Rapey" or "Old Blubberhead" by the inmates. As a warden, he was even more incompetent and futile than Bruce.

The third warden may be called Shuttleworth. His first contact with prison work was made when, as a young man, he became "farm boss" of a state-prison farm camp. Eventually he became superintendent of the camp and later of the state reformatory. Through political influence (Shuttleworth was something of a political boss in his home bailiwick) he was in time made warden of the state prison upon the retirement of a warden who had been in office for twenty-five years. Shuttleworth's two great assets were oral glibness and an excessively ambitious and talented wife. Utilizing as best she could her husband's flair for

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oratory, his impressive bulk, and his general docility, Shuttleworth's wife kept smoothing down the various roughnesses of his various contours, her ambition being to make of him a personage like the famous Warden Osborne, or even Warden Lawes. She drilled him in the social and personal graces and even had him misquoting Shakespeare (because of a faulty memory) in the prison chapel. In time he became a very unctuous, superficially intellectual man. Since his predecessor, who had been warden for twenty-five years, had been very backward in his ideas, it was very simple for Shuttleworth to appear progressive and modern by making some extremely trifling changes in the prison routine. Nothing that he did during his four years in office was of any real significance. He was a perfectly harmless person, normally good-natured, but with the tendency toward blustering brutality which is so often characteristic of the timid man. He seemed to be greatly embarrassed by having been pushed higher up in the social structure than he had ever expected to climb and had not the intelligence or the ability to adapt himself to the new altitude. In crises he was faint-hearted, deathly afraid of even the mildest newspaper criticism or anything else which seemed to threaten his job. He was inclined, at first, to be guided by the ideas and examples of the best penologists of the day; but after observing what happened to other men who had the courage of their convictions — notably Osborne — Shuttleworth lost his nerve and became simply another stuffed shirt.

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To the end of his term he failed to rise to his fine opportunity and died without having done a bit of work which was of any value to society.

The fourth warden I served under was Commodore Wadhams of the United States Navy. It is hardly fair, however, to class him as a warden. He was essentially the naval officer and accepted command of the prison as he would have accepted command of a ship. He took command of the Naval Prison (I believe at the request of Osborne) when Osborne resigned, after establishing there a branch of his Mutual Welfare League. At the time Commodore Wadhams was a hale and hearty old man more than seventy years of age. He was essentially the naval officer, and a very fine leader of men. Although he had had, I believe, no previous experience as a warden, he was heartily in sympathy with Osborne's ideas and remarkably willing to learn what he did not know about prisons and prisoners. He had a mind of his own too; a very keen one. When the League seemed to be falling down on its job, he did not hesitate to suspend it and begin over again with a new one. He had a high sense of his own obligations, not only to society, but to the men placed in his care, and tried in every way to perform the whole duty of the warden. The last of the old commodores (the title having long ago been abolished), Commodore Wadhams tackled a strange and difficult job and performed it with great sincerity and with marked success.

The fifth warden we shall call Jenkins (I mention

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only the true names of those wardens about whom I can say something good). Jenkins was essentially the militarist. As a young man, he joined the National Guard and at the outbreak of the World War held a Brigadier-General's commission in that organization. He had been warden only a short time when the War broke out, and was in France for about two years on leave of absence from the prison. Returning to his duties, he found that things had changed a great deal at Blanksburg Prison. An inmate organization (The Mutual Welfare League), which had been established during the régime of his predecessor, had grown very powerful, so that the prisoners had more to say about the administration of the prison than Jenkins thought reasonable. Jenkins was a very able and intelligent man. But he was a man with a wide streak of stubbornness in his disposition. As a young and completely inexperienced warden (his appointment was due to the influence of a National Guard General who happened to be a close friend of the governor of the State), Jenkins had acquired the notion that the prison should be as nearly like a military training camp as possible. There is a great deal to be said for this idea, too. The daily physical exercise entailed in marching, calisthenics, and the like is of great value not only to the body, but to the mind as a disciplinary measure. But the thing can easily be carried too far. After all, the purpose is not to make soldiers of the prisoners. At all events, Jenkins was strongly imbued with the military idea and greatly resented the power

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represented by the Mutual Welfare League. It is true, by the way, that the League did in many ways abuse its power and thus made it easy for Jenkins to criticize and decry its worth as a system of prison management. I have no brief to hold, here and now, for the Mutual Welfare League; and neither am I an advocate of Jenkins's militarism. I am trying to make an honest estimate of Jenkins as a prison warden. In so doing, I must point out that Jenkins had had no experience at all in prison management before he came to Blanksburg; that he was, like most prison wardens, overburdened with a multiplicity of executive and administrative work, which left him little time and energy for giving the prisoners the careful attention they need if they are to be helped on the road back to honesty; that he was handicapped by the fact that the wardens of the two other state prisons could (and did) send him many prisoners whom they had found too difficult to control. Some part of Jenkins's failure to become a good warden, therefore, must be ascribed to these causes. Nevertheless, Jenkins was an intelligent, competent man, and could have overcome even these difficulties, had he been sufficiently interested. He could have left most of the executive and administrative work in the hands of his secretary or the prison clerk, and devoted his time to the really important task of the warden — and Jenkins was one of the few wardens I have known who fully recognized this duty. Incensed, however, by the growing power of the prisoners' organization, and deeming it

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inadvisable to come out openly against it (for the power and prestige of Osborne were vast in his State), Jenkins spent a great deal of time and effort undermining the work of the Mutual Welfare League, holding it responsible for escapes, riots, and anything else which happened; and at long last, after nearly losing his own life in an attempted jail delivery during which he was held in hostage by the prisoners, Jenkins was permitted to resign after an investigating committee had placed a goodly measure of the blame upon the Mutual Welfare League (which was thereupon disestablished). If Jenkins had been wise enough to come out openly against the League, and openly perform his task as he honestly believed it should be performed, he would have made a very fine warden. But in his sub rosa efforts to undermine the League he did the cause of sound prison reform a great deal of harm. Since the establishment of the League in Blanksburg, the prison had become a place where every effort was made to give the prisoner a chance to educate and prepare himself for an honest life in the free world. He was permitted to take part in the community life of the prison, to enact and enforce laws, to share civic responsibility and familiarize himself with the normal workings of the average free community. It is the basic idea behind the League that, as playing tennis is the best practice for the future tennis player, so life in a relatively free community is the best practice for the future free citizen. If Jenkins thought this idea unsound, it was his duty to say so,

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and to fight openly for the establishment of the system he thought more logical and likely to be successful. That he did not do so was the reason for his failure as a warden. Whether or not the League is the best system devisable does not matter. Warden Lawes has retained it at Sing Sing, and Osborne and others have used it successfully in other prisons. It was hardly fair of Jenkins, therefore, to pretend to support it while he was secretly fighting it from motives of mere personal prejudice. This was fair neither to him nor to the League. As a matter of truth, I am compelled to say that I liked Jenkins, personally, as well as any warden I have ever met; but I am likewise compelled to say that in his anti-League activities he put Blanksburg Prison back on its 1912 basis — as a prison in which men are merely to be fed, housed and clothed for the length of time determined by the court. Jenkins, therefore, was not guilty of merely shirking his duty, like Shuttleworth; he was guilty of the worse crime of grossly abusing the powers of his office to frustrate the sincere attempts of the prisoners and their outside friends to make the prison a training camp for personal reformation.

The last of the six wardens under whom I have served time was Thomas Mott Osborne. His work is too well known to need much description here. In his various books — “Society and Prisons”, “Within Prison Walls”, “Prisons and Common Sense”, and “Sing Sing Prison, a Study in American Politics” (the latter has not yet been published owing to opposition

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on the part of his heirs) — he has stated his ideas and described his efforts to incorporate them into the administrative systems of American prisons. That he was by far the most intelligent and high-minded warden I have ever served under need hardly be said. The higher duty of the warden was his very religion. He was glad to leave mere administrative details to clerks and assistants (even hiring them at his own expense when necessary — as, of course, the average warden could not afford to do), and to devote every minute of his time to the important work of giving his intelligence to the solution of the individual problems of individual prisoners, and to the working out of a self-governing-community system which, he felt, was the one most likely to succeed in transforming the prisoners into law-abiding citizens. In his utter devotion to the cause of sound prison reform — in the way he gave unstintedly of his time, energy, intelligence and money — he was in my opinion a noble man. For what is a noble man, if not a man who devotes his life and talents and money to the establishment of what he believes to be the truth? There are, as usual, no statistics available which might give accurate figures in support of my statement; but I am sure that more men were led back into the road of decent living through the work of Osborne than through the work of any man or any organization which has ever tried to influence the criminal. There is not the space here for a detailed discussion of Osborne and his fine work (the reader will, however, find it adequately described

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not only in Osborne's books, but in books like Frank Tannenbaum's "Wall Shadows", which is a study of the Mutual Welfare League System of prison management). I will merely say that Osborne was in many ways the perfect warden. That he was liberally endowed with financial means and social and political standing does not alter this essential fact; for it should be the duty of society so to support her wardens that any one of them, should he have the talent and the intelligence, might be free to function as effectively as Osborne did. It is surely not fair to society to impose so difficult a task upon the warden and then handicap him so badly that he cannot perform it.

In these brief descriptions of the wardens under whom I have served time, I have indicated only in a general way why they were good or bad wardens. I must now point out why, under existing conditions, it is almost impossible for the average warden to be anything but a bad one. In this connection I remember reading a report of the Massachusetts Prison Directors published in 1823 which is singularly in point. Under the laws governing the State Prison at that time, the internal administration of the prison was left entirely to a Chief Guard or Principal Keeper (the Deputy Warden of the present day). He was responsible only to the directors of the prison (three men appointed by the governor), who were in turn responsible to the state legislature. There was no such office in existence as that of warden! This office was created under the

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political spoils system, so that an important vote-getter might be given a soft job. The duties of the warden were simple. He was to accept prisoners from the court and transfer them to the prison; and to bring prisoners to court for trial, and so forth. He was a mere server of papers, in other words, for which he received extra fees. In time, of course, the warden being a man of political influence, he began to usurp the powers of the principal keeper; and eventually the principal keeper became merely the warden's assistant, as he is at the present time. But while the powers lodged in the two offices have changed places, the duties of each remain substantially what they were in 1823! That is to say, the actual internal management of the prison is left very much to the deputy warden, while the warden does all the paper work (theoretically, of course; actually it is performed largely by clerks).

In this lies one of the fundamental weaknesses of most present-day systems of prison management. For the warden, instead of spending his time inside the prison in close contact with his charges, spends nearly all of his time in the administrative offices, and sees the prisoners only during chapel services or during special interviews. The man who is in daily contact with the prisoners is the man least capable of performing the higher duty of the warden. For the deputy warden, or principal keeper, is the man who actually manages the internal affairs of the prison, apportioning jobs, awarding punishments or rewards, and other-

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wise directly coming in contact with the prisoners. *Now in all the years I have spent in various prisons, I have never seen a deputy warden or principal keeper who was not a promoted guard.* And if the average warden, who is sometimes not an ex-guard but an outside man with a fresh outlook, is so incompetent to perform the higher duty of the warden, how can it be expected that the average ex-guard, as deputy warden, will be able to perform it? I have served time under eight deputy wardens or principal keepers, but I only know one who was even remotely capable of perceiving and attempting to perform this duty.

Overburdened as he is with administrative details, the average warden is only too glad to leave the management of the prison to the deputy warden. Even when he is intelligent enough to leave these details to clerks and devote himself to his real duty, the warden is handicapped; because the average deputy warden resents what he considers the warden's infringements of rights and powers which have been the deputy warden's since the office was created. Friction thus arises, as is inevitable, which is disastrous to the morale of the prison. The only way in which this friction can be removed lies in a complete reorganization of the personnel of the prison. The administrative details (bookkeeping, the keeping of statistics, and the like) should be handled by clerks from the prison commissioner's office. This would leave the warden free to perform his duties. The deputy warden should act as Captain of the Guards, and attend to the policing and

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disciplining of the prison. The higher duty of studying his prisoners and attempting to transform them into law-abiding citizens should be left entirely to the warden. The warden should, of course, be a well-educated, sincere, intelligent man. He should be paid a decent salary. For only when the prisons are reorganized, and the duties of the various officials thus clearly defined, will the capable warden be given a real chance to do his duty; and only when he is able to do his duty will the prisons begin to perform their acknowledged purpose.

But in the long run none of these things can be accomplished until the prison is taken out of politics. Under existing conditions, the office is one which the governor feels he must give to some political supporter or to an appointee of that supporter, regardless of the man's ability to do the required work. With political corruption rampant all over the country, however, it is hardly likely that much attention will be paid to the selecting of capable men as wardens of our prisons. Of the wardens of the State Prison at Charlestown, for example, three (including the present incumbent) have been former prison guards who rose from the ranks through political influence. Two wardens died while I was serving time there. In each case, although the prison commissioner had recommended the appointment of a comparatively high-grade outside man, the former prison guard secured the appointment through party politics. Let it not be thought, therefore, that conditions in this respect are

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very much better than they were a hundred years ago. I venture to say that they are worse.

It thus comes about that wardens, as a group, due allowance being made for the rare exceptions, are incapable of anything beyond the mere literal execution of the court's sentence. They are capable, after a fashion, of feeding, clothing, housing, and keeping in custody the convicted criminals sent to them by the courts. It is unreasonable, really, to expect anything more from them. If, therefore, society is satisfied merely to punish the criminal, her wardens are eminently capable of performing the task. But if the *declared* purpose of imprisonment is actually the *real* purpose — if, that is, society's real object is the reformation of the criminal — precious little progress will be made through the efforts of the present crop of wardens.

Even when an occasional warden of a better type, spurred on, it may be, by an able, sincere prison commissioner, becomes a convert to the new faith and desires to lend a hand, he is rarely able to accomplish very much. Political interference, the opposition of ignorant but well-organized guards, the burdens of administrative detail work, the hostility of prisoners, personal inefficiency through lack of training; all these things render the warden more or less incapable of doing his higher duty toward society and toward the criminal.

In the end, up against these and other difficulties beyond his powers of control, the average warden

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takes the easiest way out of his dilemma and lapses into a deliberate policy of *laissez-faire*. So long as there is a semblance of discipline within the prison; so long as there are no serious riots and escapes; so long as he can literally execute the sentence of the court and retire on half-pay as quickly as possible, the average warden is satisfied to let things take their course. His chief concern is to produce good prisoners (men who cheerfully obey, or at any rate do not get caught breaking, prison regulations). Whether or not this is likely to make them good citizens when they are released does not greatly concern him. And this, I firmly believe, is the attitude of the average American prison warden.

What I have said about the average warden applies with even greater force to the average prison guard. For whereas the average warden is a fairly energetic man, the average prison guard is quite the reverse. Whatever he may have been to begin with, the duties of the average prison guard have made him an incredibly lazy fellow. Sitting in a soft chair, hour after hour, year after year, with nothing more strenuous to do than keep his eye on the prisoners at work in the shop, the prison guard soon becomes a pretty dull, listless sort of man. And since every attempt to improve upon the prison environment involves, at first, longer hours and more strenuous activity for the guard, he actively opposes (through the various associations of prison guards) most plans for prison reform. As an instance of this, Osborne was unable to

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enlist even the pretended coöperation of New York prison guards until a law establishing an eight-hour working day had been passed. In most states the guards work ten or twelve hours a day and are scarcely to be blamed for resenting any increase in their working hours. But until shorter hours are obtained for them (and even afterwards, for other reasons) it will be found that the average prison guard is opposed to the reform of the prison environment.

On the whole, then, it must be said that the attitudes of wardens and prison guards are distinctly unfavorable to the success of society's plan to reform the criminal.

Chapter IV

The Prisoner and Reformation

THE third factor in the problem is the attitude toward reformation of the criminal himself. Here it is necessary to go slowly. It is one thing to generalize about the attitudes of wardens and prison guards. This can be done with a fair margin of safety, since there is a certain class attitude, generated by similarities in duties, training, social status, and the like, which is characteristic of the whole group of wardens and prison guards. But when we generalize about criminals, it is well to remember that there are almost as many criminal types as there are individual criminals; and that hasty generalizations which ignore this fact are likely to be inaccurate, unscientific and misleading.

However, in order to discuss their attitudes at all, it is necessary to make some attempt to accurate classification. Disregarding the fact that there are many interrelated types; that some murderers and rapers are thieves, and some thieves are also rapers and murder-

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ers; and that no system of classification can hope to achieve absolute accuracy, let us arbitrarily divide imprisoned criminals into four groups: (1) murderers, (2) rapers, (3) circumstantial criminals, and (4) professional criminals.

Let us exclude from the first group all gunmen and gangster killers, and other professionals who kill only when they are hindered in their attempts to steal or to terrorize. Let us mean by "murderers" only those persons who have killed their victims because of greed, lust, jealousy, anger, hatred, desire for revenge, or similar passions. As previously noted (in "Remembered Conversations"), this group, the murderers, generally holds to the conventional views about law and order of average citizens in the free world. While each murderer feels that he was wholly or partly justified in killing his victim, he does not approve of murder as a form of social behavior, nor of lawlessness in any form. Since he is thus essentially law-abiding in his attitude, it is somewhat idle to talk of "reforming" him. Because of this, it is my conviction that the murderer is not a problem for the penologist and does not belong in a state prison; but is a problem for the psychiatrist, and should receive treatment in a hospital for criminal psychopathics.

In the second group, the rapers, let us include all men who have been sent to prison because of sexual misconduct; for rape, seduction, incest, abuse of minor children, sodomy, oral copulation, or any other form of illegal sexual conduct. Like that of the mur-

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derer, the attitude of the raper is essentially that of the law-abiding citizen. And like the murderer he belongs, or so I believe, in a hospital for criminal psychopaths.

We now come to the third group, in which is found the man who may be called the circumstantial criminal. He may be defined as the man who ordinarily lives an honest life, but occasionally, because of unpropitious circumstances in his physical, intellectual, emotional or social environments, resorts to crime. A criminal of this type steals because (a) of an immediate and urgent need for money; (b) in order to finance the seduction (or it may be the legitimate wooing) of some woman who has temporarily or permanently become vital to his emotional needs; (c) because of inability to resist temptation when it strikes him at a weak moment, or (d) in order to finance his escape from an environment which, for one reason or other, has become intolerable. Among such criminals are to be found most low-grade thieves, defaulting cashiers, trusted employees and the like. They are normally law-abiding, and even when they yield to temptation there is nothing deliberately antisocial in their attitudes; it is defeat at the hands of the environment which causes them to steal and not disrespect for law and order as such. This type of criminal, even when he is a third or four offender, is generally docile and teachable and capable of reform. Under proper guidance he can be made an asset to the community. It is with this group, or type, that the penologist will

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have the greatest success. For they are not what I call true criminals; they are, in the apt phrase of an English observer (A. P. Gardiner, in the *Nineteenth Century* magazine), merely "sheep in wolves' clothing."

Finally, we come to the real wolves of the prison fold; those criminals who have a definite, deliberate, antisocial attitude, and devote their whole lives to crime. In this group are to be found the bank bandit, the highwayman, the burglar, the gunman, the gangster, the forger, the confidence man, and the high-grade swindler who operates through crooked stock transactions or other business disguises. Although not all of them are deliberately antisocial in their attitudes, the great majority of them are; and so I consider them the only true professional criminals. In even his lowest stages of development, the criminal of this type is dangerous; in his high stages of development he is positively deadly. He ranges from the petty forger of small checks to the accomplished swindler; from the man who injures individuals to the man who wrecks institutions and whole sections of the community in ruthless grasping for illegitimate money and power. Let me try to describe the development of a few specimens of this type; for in his development are to be found the reasons for his attitude toward life in general and toward law and order and reformation in particular. In so doing, I shall describe only the cases of actual criminals I have known, and devote the most space to those phases of their development

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which least often find their way into the ordinary case histories of penologists.

THE CASE OF ELSMORE

Elsmore was born in Boston in 1898 of German-English parents. They were poor but law-abiding people, the father sickly, the mother obliged to take in washing and do occasional odd jobs of cleaning for neighbors. Young Elsmore was left to himself a great deal and instinctively sought the company of other boys of his own age. It was a slum neighborhood in which most of the boys were young hoodlums, and soon Elsmore became one of the tougher boys of the district. He began to absent himself from school, smoke cigarettes, frequent poolrooms and other forbidden places, and to steal anything he could find (old clothes, bottles, brass and copper, and anything else which might be sold to the junkman). At the age of fourteen he was haled into court as a truant and sent to a school for delinquent boys (where I met him). Big for his age, he was a good athlete, and in time became one of the athletic heroes of the school. He had gone as far as the fifth grade before he came to the place, but would not show any interest in further formal education, deeming it sissified to study. He was assigned to work in the manual training department, where husky boys were needed, and soon became a muscular young devil, with a very aggressive manner. The master of the cottage in which Elsmore lived had

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a daughter who had been away at boarding school but was with her parents for the summer. She was eighteen years old and a very attractive girl. Elsmore was one of several dozen boys in the cottage who secretly worshipped her. He used to slip out of the shop, whenever there was a chance, and hurry over to the cottage for a glimpse of her. One day he caught her on the way to her bedroom after a bath, with hardly a stitch of clothes on, and attempted to rape her (Elsmore at the age of fifteen was fully developed sexually). She fought him off successfully, but did not report him to her father. This made him bolder; and in time she yielded and permitted him to seduce her. During the remainder of his term, when she was at home, they met at every opportunity and indulged in the forbidden sexual pleasure. Of course Elsmore bragged about his conquest and thought himself quite the cock of the walk. As a result of this, and of his popularity as an athletic hero, he gained an exalted idea of his own importance and developed into a pretty conceited fellow. On being released, he immediately became dissatisfied with the environment in which his parents had to live. At the school he had been something of a celebrity, about whom every one, especially the younger boys, made a great deal of fuss. In the free world he was merely another unruly boy, without distinction among his associates. He disliked this state of affairs very much and commenced to do everything in his power to gain prestige of some kind. He broke into houses and stores at night, swaggered

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about with a gun in his pocket, and bragged a great deal about exploits which gave evidence of his courage and general toughness. With the proceeds of his crimes he dressed himself in the sportiest of clothes and was soon one of the neighborhood "sheiks." He refused to go either to school or to work, and in a short time was one of the steady customers of the neighborhood dance halls, poolrooms and houses of ill fame. Too conceited to work or study, selfish, aggressive, and utterly unmanageable, his parents and friends could do nothing with him. So greatly did he resent any attempt to alter his manner of living that he began to carry his gun with a real purpose: in order to shoot any one who tried to hinder him in his nocturnal crimes. Suspected of various petty crimes, he was again haled into court and ordered recommitted to the school for delinquent boys. This time there was no indulgent master's daughter to help him allay his sexual desires (he was placed in a different cottage, talk of the affair with the girl having eventually reached the ears of officials). He started to masturbate. Before he came out again he was a confirmed masturbator. Perhaps because of this (at any rate partly because of it) he grew distinctly irritable and surly in his behavior. It seemed to be his desire to earn a reputation for toughness and general incorrigibility. He ran away from the school twice, only to be captured and returned each time; and after the second escape was transferred to the state reformatory. Here he served two years and, because of his tough-

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ness and athletic skill, again became something of a popular hero among the younger inmates. But because of his conceit and snobbishness he made no real friends among his associates; and when he was discharged, at the age of nineteen, he became a surly "lone wolf" in his criminal activity. This was in 1917, just after America entered the War. Excessively addicted to masturbation while incarcerated, and to sexual indulgence when free, Elsmore soon noticed how the neighborhood girls preferred the uniformed sailors and soldiers; and he joined the navy solely in order to further the satisfaction of his sexual needs. He was stationed at a receiving ship near Boston and was able to spend most of his time (nights) ashore. Since his pay as an enlisted man was barely enough to keep him in taxicabs, he kept on breaking into houses and stores when he was short of ready money; and by this time was a very skillful burglar. A year after joining the navy, while on a drunken spree with another sailor and two girls, Elsmore overstayed his leave and decided to desert from the navy rather than take a chance of being sentenced to the Naval Prison by a court-martial board. He was now in fairly desperate straits. If he were arrested even on suspicion, and identified, he was sure to be sent either to the Naval Prison or back to the state reformatory as a parole violator. So great was his horror of imprisonment and the inevitable sexual hunger, that he determined to kill, if necessary, rather than to be taken. After a series of burglaries in an exclusive residential

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district which won for him the newspaper sobriquet of "The Human Fly", he became reckless; and instead of moving to a new territory, continued to break into houses in the same neighborhood. He gloried in the newspaper write-ups which followed each of his crimes. One night, climbing down a water-spout after burglarizing a house, he was caught unprepared by a policeman. He attempted to draw his gun; but the policeman shot him in the leg and overpowered him before Elsmore could get his own gun out. He was convicted of several burglaries and of carrying dangerous weapons, and given a ten- to fifteen-year term in the state prison (where again I met him).

Because of the newspaper notoriety during his career and trial, Elsmore became afflicted with a very pronounced "big shot" complex, as we used to call it. He thought of himself as the "master burglar" he had been called by the papers, and became very condescending to the lesser criminal lights of the place. He was a snob of the first water and would associate with none but other celebrities like himself (when they would let him). In his attitude toward law and order he shared the common opinions of the more unintelligent thieves; that all men except "working stiffs" (laborers) were crooked, and that the laborers were honest merely because they were too timid or too stupid to be anything else. He would laugh scornfully at any talk of reformation, which he considered "the bunk" — a brew for weaklings, but not for master burglars like himself. After serving some six

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years, Elsmore was released on parole. Two years later, having continued with his prowling of houses at night, he was arrested with two accomplices, charged with a series of crimes. Panic-stricken at the thought of additional years of imprisonment, and although there was very little evidence against any of the three, Elsmore bargained with the district attorney and agreed to turn state's evidence in return for comparative immunity. By thus double-crossing his pals he escaped getting a new sentence and was merely returned to Charlestown as a parole violator. He would have gotten off scot-free, except for the fact that it was discovered he had contracted a case of syphilis while he was at liberty; and so he was kept at Charlestown for a year, during which he received treatment for the disease. The marks of syphilis upon his superb body, to say nothing of its influence on his mind, were a source of great anguish to Elsmore. So also was the ostracism he had to endure as a result of having betrayed his comrades. Instead of being a "big shot" this time, he was known as a "rat" and studiously avoided by right-thinking thieves. He was released in 1928 and remained out of sight for the next four years, during which he must have committed hundreds of crimes, and perhaps passed his disease on to numerous unsuspecting girls. In 1932, at the age of thirty-four, he was shot and killed by a policeman on whom he had tried to draw a gun when the policeman tried to arrest him. He had spent ten years of his life (out of twenty) behind bars, between the ages of

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fourteen and thirty-four. Elsmore's career and personality and attitude are entirely typical of one kind of professional criminal.

THE CASE OF WILLIAMS

Williams was born in New York (also in 1898) of German-Scotch parents. He was still a schoolboy when his father deserted his mother and left the family to get along as best it could. There were two younger children, both girls. The Williams family lived on West 49th Street, between Ninth and Tenth avenues, in the famous "Hell's Kitchen" district. Young Williams was obliged to leave school during his sixth term in grammar school in order to help support the family. He sold papers on the streets of the city, like others from the very poor families, and in this rough and ready environment became precociously sophisticated and also extremely adept in the use of his fists. In his neighborhood the gangster was the hero whom all the younger boys worshipped; and it became the ambition of Williams to grow as hard-boiled and reckless as "Tanner" Smith, "Link" Mitchell, "Bum" Rodgers, Owen Madden, or any of the other gangsters in Hell's Kitchen. In the course of time he developed into so good a lightweight pugilist that he was able to add to his slender income by taking part in bouts staged at the various neighborhood sporting or recreation clubs sponsored by Tammany district leaders and patronized largely by gangsters.

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The district recreation club was the social center for the slum boys — what the Y. M. C. A. was to their fellows at a slightly higher level of the social structure. At the age of fourteen, Williams was as tall and strong as most boys of sixteen or eighteen; and because of his fistic powers and general toughness was soon on terms of intimacy with members of the notorious Tanner Smith mob, which was then staging its last fight for control of the district (they lost out to the equally notorious Madden mob, which still controls that and other districts of the city). With other members of the mob, Williams took part in the various gangster activities; robbing freight cars, wharves, warehouses; exacting financial tributes from local store owners whom they terrorized with threats of bombing and other atrocities; but mainly in voting illegally and terrorizing non-Tammany voters on election day; and at other times terrorizing strikers or their employers (whichever side paid the most), and fighting with and raiding the headquarters of the Madden mob. Williams proved a valuable recruit and was soon as dangerous and skillful with a knife, club, or gun as he was with his clever fists. Gradually he began going in with other gangsters for the more remunerative crimes (pay-roll robberies, safe-cracking, hold-ups, and the like); and before he was eighteen Williams was "keeping" a girl in a Broadway apartment and getting initiated into the night life of the city. His mother and sisters remained at the old home on West 49th Street, but Williams did not

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neglect them. He had long ago dropped even the pretence of legitimate work; but he contributed regularly and generously to the support of his mother and sisters and visited them almost daily. Before he was twenty, Williams had been arrested a dozen times as a suspect in the various gangster killings and other activities of the city; but never did he serve a day in prison after appearing in court. The usual procedure (which the gangsters themselves preferred to formal arraignment and trial) was as follows: after a killing or robbery, the detectives would arrest and bring to headquarters any gangsters whom they could find, subject them to an intensive third degree (often beating them unmercifully), and then turn them loose when the beatings had failed to elicit evidence connecting them with the crime in question. This was all a part of the regular routine of Williams's life; and while he took it as a matter of course, he had seen so much of corruption among detectives, district attorneys, and even judges that he came to have a strong hatred for representatives of law and order. Wise to the ways of the underworld, a shrewd and clever criminal who never worked except after laying carefully-thought-out plans, it was not until Williams tried to operate in a strange city, with gangsters he did not know, that he got into serious trouble. In 1918, at the age of twenty, he was asked to come to Boston with three other gangsters to steal the pay roll of a large corporation. It was to be the Christmas pay roll, estimated at \$60,000. Through some carelessness of the local tip-

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sters, the information was inaccurate; so that Williams got only a comparatively small pay roll of \$15,000, in the seizing of which he shot an armed guard who attempted to draw his gun. Because of the shooting (although the guard did not die for two years) and because of the prestige of the corporation, there was a great hue and cry about the crime. One of the Boston gangsters was arrested on suspicion. Fearing a long prison term for himself, he implicated Williams and three other men. In spite of this, it is doubtful that Williams could have been convicted. The books of a New York firm of longshoremen showed that Williams and his pals had been working in New York on the day of the robbery! Thus did Williams plan his crimes before he went to work. But the man who had implicated him was persuaded to turn state's evidence; so, in spite of the efforts of a former district attorney, who had been paid a retainer of \$3,000 to "fix" the case, Williams and his pals were given ten- to fifteen-year terms in the state prison (the crooked ex-district attorney, by the way, was later disbarred and sent to prison at the time when two other district attorneys were disbarred and removed from office). The informer, as it happens, was killed within a few months.

Williams, as I came to know him in the prison, was in many ways a fine character. He was entirely reliable and honest with his friends, deceitful and treacherous with his enemies, and utterly without fear. He would never steal or harm poor people; he would

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select his victims solely from among the moneyed classes. From one point of view I have always found certain gangsters to be, on the whole, the very highest type of criminal. Although there are many hangers-on of a much lower grade in gang circles, the real gangster is in many ways a fellow who lives strictly up to a stern though predatory code of his own. I liked Williams, personally, better than any other criminal I have ever known. But he was definitely antisocial in his attitude toward law and order and reformation. While he would admit the theoretical necessity of laws and policemen, he had seen so much of corruption in the ranks of law-enforcement officials that he knew himself to be no worse than many of these, and far better than some. He took the cynical attitude. "What the hell," he would say. "Everybody's out for the money. Get it, long as you don't have to take it from some poor bastard that can't afford to lose it. But get it. Once you've got it, nobody cares how or where you got it." When he left prison, therefore, after serving a little more than nine years, he merely became more cautious, going in for the bootleg and night-club racketeering which had developed during his years in prison. I met him in New York in the autumn of 1931. We were discussing the state of affairs in regard to unemployment and the slackness in racketeering profits. "It's pretty tough," said Williams. "I've got my apartment and my mother's home to keep up. My two sisters are married and their husbands haven't had work for months. There's not much

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money in the rackets, the way things are nowadays." I asked him, in view of this, how he was able to keep up his own establishment and his mother's and also help his sisters keep alive during the current depression. "There's only one thing to do," said Williams. "I'm doing it, and so is almost every one I know. Grab a gun and go out and steal!" In his various attitudes and general character, Williams was typical of his kind of criminal.

THE CASE OF MILLS

Mills was born in Alabama in 1900 of German-Irish parents who were what was locally known as "white trash." They lived on a farm near a small village. I do not know as much about Mills' boyhood as I wish I did; but I do know that for some reason he did not like his father, but fairly worshipped his mother. At all events, he began running away from home at an early age, bumming his way about the country, stealing when he saw a chance. From the time he was about sixteen years old he never returned home except to visit his mother. He first ran afoul of the law in 1918, in Boston, when he was charged with the possession of a stolen automobile which he said he bought from a stranger. He was sent to the State Reformatory, where he spent two years, and on being released promptly "jumped" his parole and left the State. In the reformatory he had met an older man who had initiated him into the technicalities of for-

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gery; and Mills proceeded to pass a series of worthless checks in stores and banks all over the country. Arrested in Illinois, he was convicted of passing checks to the total amount of more than twelve thousand dollars and given a term of from one to twelve years in Joliet Prison. Here he was confined for four years. When he came out of Joliet he once more jumped his parole and proceeded to flood the country with bad checks. He traveled about considerably, spending some time in Mexico and Europe, and always managed to associate with the lesser celebrities of the theatrical and pugilistic world. In 1931, he was arrested, again in Massachusetts; and at the time of his arrest was characterized by the Burns Detective agency as "the champion check passer of the United States." This title pleased him very much. From newspaper clippings I gathered that his forgeries since leaving Joliet had amounted to more than thirty-five thousand dollars (which does not include the proceeds of hundreds of small checks for the passing of which no warrants were issued). In many respects I found Mills to be the typical crook. Uneducated, full of a thousand ignorant racial, social, religious and other prejudices, vain as a peacock, utterly selfish in his relations with other people, he possessed most of the vices and defects and few of the virtues of the average thief. He was different from the average only in his industry and financial success. While most ordinary thieves are lazy, Mills was preëminently the "hustler." He was typical of the average ex-convict in the possession in

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abundant degree of two traits which are characteristic of nearly all ex-convicts; abnormal sexual activity and the tendency toward incessant talking. The man who has served years in a solitary cell has a head full of vague ideas, emotions, items of information, bits of self-analysis, which he rarely has a chance to discuss with any one; and he develops a habit of incessant talkativeness, a need of continually explaining himself to his hearer. In his bags and trunks when arrested Mills had wads and wads of newspaper clippings about himself; he had dozens of letters, business cards, hotel bills, telegrams, guest-membership cards, and other odds and ends of travel souvenirs which he had scrupulously saved in order to impress his fellow convicts when he came to prison; he had literally thousands of photographs of himself, in each of which he was seen posing proudly beside some noted gangster, lesser movie celebrity, or pugilist; he had a large assortment of photographs of women in various stages of undress (from kodak size to great fifteen-by-thirty-inch pictures), including a goodly number of extraordinarily filthy "French" pictures. All his clothes, accessories, and baggage were of the ultra-doggy, flashy style. When he came to the county jail in which I was serving a six months' sentence, Mills was placed in the cell next to mine. As I came from the dining room one day and was passing his barred door, he thrust a package of cigarettes at me and said, "Here!" I did not know him; had never heard of him; and was consequently somewhat surprised. I mur-

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mured a hurried "Thanks" and went on to my cell. The next day he handed me a magazine, saying, "There's a piece about me in here." I read the magazine article about his capture through a photograph published in a detective magazine, which showed that his arrest had been due to a girl, an attendant at a hotel cigar counter, to whom Mills had been obnoxiously attentive. She had recognized him from the magazine photograph, engaged him in conversation, and tipped off a detective who made the arrest (for which she earned a reward of five hundred dollars). The following day when I saw Mills in the yard at recreation time, he said, "Did you read that piece about me? It's a lot of bunk, all except what the Burns people say about me." The inference was, of course, that the unflattering parts of the article were untrue. He then handed me a sizable batch of newspaper clippings about himself, clipped chiefly from small-town and small-city newspapers, in all of which he had granted interviews in which he made much of his acquaintance with a certain male movie star and of his popularity in night-club circles. The same day he asked me if he might share my cell with me. He said he hated to be alone in a cell and wanted some one with whom to talk and play cards. Although I knew I should be unable to stick his company for more than a few days, I agreed to share a cell with him. Frankly, I was completely broke, and glad of a chance to cell with a moneyed man who could supply the cigarettes and groceries. But, hard pressed as I was

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for these items, a single week was all I could endure of his company. From the time we got up in the morning until long after lights out, all I would hear would be "I — me — my — mine — I — I — I — ." In spite of the considerable traveling he had done, Mills was still the small-town yokel trying to impress the other natives with his sophistication, amatory adventures, and general dissipation. He was in all his attitudes and reactions essentially the selfish, conceited, willful "spoilt child." The faintest sign of disbelief on the part of his hearer, the merest hint of a difference of opinion, sent him into a veritable tantrum. He was as vulnerable, in many ways, as a sensitive child of seven. Every time a guard passed the cell, Mills would give him a cigar (he kept the cell fairly overflowing with cigars, cigarettes, toilet articles, and groceries) and engage him in conversation. The object was always to secure for himself some item of special privilege not granted to the average inmate. He wanted his meals brought up to the cell, for example; he wanted permission to have his radio in the cell; he wanted new shirts and trousers, instead of the second-hand garments worn by the average inmate. As soon as the guard had gone out of earshot, Mills would turn to me and say, "Do you think I can't kid these hick screws to death?" He would smile in a sickening, fatuous way, and add, "Boy, before I leave here, I'll have these clowns eating right out of my hand!" He distributed cigarettes and groceries indiscriminately among the inmates; paid small fines for

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some; and was known among the recipients generally as "an 18-karat sucker." It was obvious even to the more obtuse inmates that his liberality was not prompted by sympathy or natural generosity, but by a desire to make a "big shot" of himself. In his every word and act he was intent chiefly on impressing upon the rest of us his own importance. I could see that this was the way he must have paid for the company of the celebrities of newspaper creation with whom he associated in the free world; such people are notoriously willing to suffer the presence of fools with money to buy liquor and entertainment. The fact that he had two years to serve in Massachusetts and owed several years to Joliet did not seem to bother Mills. He thought he could probably buy his way out of serving most of the time; and so long as he had plenty of money for prison luxuries, and some one to listen to his bragging, he seemed to be fairly well satisfied. In his attitude toward law and order Mills was distinctly antisocial. He showed no slightest trace of consciousness of wrong-doing; he had absolutely no regrets about his criminal career; he spent a great deal of time discussing possible plans of improving his skill at forging; his whole attitude was that of a man discussing his chosen profession. His attitude toward life was that of the rounder; so long as he could bask in the reflected light of newspaper celebrities, enjoy the expensive smiles of the more depraved women, have enough money to wear flashy clothes, drive a flashy car, eat luxurious foods, drink fairly good liquor, live

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at gay resort-hotels — he had no desire for anything more in life. With none but the lowest standard of values, practically no formal education or training, with an excessive egotism, not much else could be expected of him, I told myself. I believe that Mills will be a professional thief as long as he lives, unless he gets a sentence, eventually, which will keep him behind bars for the rest of his life. In most respects, Mills is typical of the average professional criminal.

THE CASE OF EVERS

Evers was born in Kentucky of English-French parents *circa* 1880. I know nothing of his early history except that his parents were fairly well-to-do planters who were able to send him to college. Shortly after being graduated from college he came to New York and secured work in a brokerage office. Two years later he lost his job on account of having misappropriated office funds. He had, however, learned something about stocks and bonds and their manipulation for profit; and now he proceeded to drift from one bucket shop to another, acquiring a knowledge of illegitimate methods of operation. With two associates he began working the up-state cities and towns, picking his victims from lists of known stock-market speculators stolen from former employers. He invariably selected as his victims very old, often invalid, men and women who were unlikely to be able to cause him active trouble after he had swindled them. His

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attitude toward his victims and toward his crimes is best indicated by his own language. In describing a swindle, his whole manner was that of a pretendedly modest man describing some youthful prank which revealed his own cleverness or courage or sophistication.

"Steve and I went up to Rochester," he would say. "There was an old biddy up there who had a thousand shares of T. & T. preferred, worth all of thirty dollars a share at current prices. Man, it was a shame the way we put the old 'swerve' on her! You'd have laughed your head off! It was like taking candy from a baby or kicking the crutches out from under a cripple! Well, sir; we built her up gradually, and then we stepped in and clipped her for the thirty grand worth of stocks. I brought her a thousand shares of O. & P. common, which I told her was not quite as good at the moment as T. & T., but was due for at least a five-point rise within a few weeks. I asked her to hold my stock as security while I took hers to the bank to have the registrations verified. Can you imagine that! Why that O. & P. stock wasn't worth three dollars a bale even as waste paper! Anyhow, I grabbed her stocks and we lammed out of town on the first train — and she's still waiting for me to come back with her T. & T. preferred!" Here Evers would give vent to a reminiscent chuckle and say, "Can you imagine anybody being such a sap as that?"

From such beginnings he gradually developed into a big-time bucket-shop man, with a main office and

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dozens of salesmen in New York, and clients by the thousands. In 1925, his firm "failed" for more than two million dollars, a large portion of which Evers had secretly tucked away in various safety-deposit boxes. He spent several hundred thousand dollars "fixing" the most active complainants, including certain officers of the law, and succeeded in getting off with a sentence of only two years. Thus, after swindling thousands of people out of two million dollars, and wrecking two small-town banks when he crashed, Evers had to serve a mere eighteen months (six months off for good behavior) in prison; and during that time he literally lived on the fat of the land, enjoying every item of special privilege and luxury which money could buy. He used to laugh when even hard-boiled thieves taunted him about swindling women and orphans and invalids.

"Hell," he would say. "If I didn't clip them, somebody else would. A sucker is born to be trimmed. They've all got larceny in their hearts, anyhow; or I'd never be able to swindle them; they're all looking for easy money — for something for nothing. I gave them nothing for something, believe me!"

Vain, self-indulgent, unprincipled, Evers represents, or so I believe, the professional criminal in his most dangerous stage of development; the wrecker of communities, whose activity is more harmful to the social structure than the activities of hundreds of plain gangsters or bank robbers or other types of criminal. Yet, such is the law that men like Evers

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seldom get more than a year or two in prison as punishment for their crimes. As may be expected, Evers had no faintest desire for reform.

"I should go to work," he would say, "with all these loose dollars fairly begging to be picked up? I should go to work for forty a week — and a Christmas bonus — while the big shots ride around in straight-eight Packards with Follies girls? Don't make me laugh. You only live once; and believe me, I'm going to live."

JOHN SMITH

Through the various records made by examiners at the institutions where Smith has been confined, the following bare facts could be learned about him. That he was born in 1910 in the city of New Bedford, Massachusetts, of an English father and an Irish mother. That at the age of *eight* he was committed to the Lyman School for Boys as a stubborn child. That while he was there his mother and father separated. That he was paroled to the custody of a farmer from whom he ran away. That he was twice returned to the Lyman School as a parole violator. That at the age of *fourteen* he was sent to the State Reformatory. That he was again paroled to the custody of a farmer and again ran away. Finally that, at the age of *sixteen*, he was sentenced to the State Prison for a term of from *nine to twenty years* on pleading guilty to robbery while armed.

These facts may be gleaned from the official rec-

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ords. It is my purpose, however, to supplement these facts with facts not already a matter of record: facts which are of far greater value to the student of crime and punishment than the mere dates and place names to be found in the prison files.

To begin with, the official records do not reveal why it was that Smith was committed to a juvenile institution at the age of eight. The family was in poor circumstances. There were three other children. Smith suffered from neglect. He felt lonely, unwanted, his parents being too deeply concerned about their personal troubles to give him the attention he needed. At the age of eight young Smith found a horse and carriage standing in the road near his home. He climbed into the carriage and started the horse running. The horse ran away with him, finally overturning the carriage, injuring Smith about the head, face and body. For this adventure he was haled into a children's court, and some brilliant jurist (perhaps for reasons which seemed to him sound) ordered him committed to the Lyman School!

Smith was a rosy-cheeked, beautiful boy when he came to the Lyman School. In the institution were many older boys, some of them nearly twenty-one, who because of political or other influence managed to get sent there rather than to the State Reformatory or elsewhere. Among these were numerous degenerates (or "wolves", as they are called). They naturally singled out Smith because of his physical beauty and general docility, and made his life miserable for him.

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From men among my acquaintances who were there at the time, I know that Smith resisted the advances of these wolves, at first; but that in the end, through sheer helplessness in the face of so much pressure, he gave way and became an unwilling, passive participant. At the age of *ten*, when he was released on parole, his life had already been polluted by sexual perversion.

With the first farmer to whose custody he was paroled, Smith did not get on very well. There was, of course, a great deal of work to be done. Smith was not a lazy boy at that time, but he was not overly robust, and the work left him completely fatigued at night. With no time to himself except on Sundays, and no one with whom to amuse himself even on Sundays (out there in the quiet country; Smith was originally a city boy), he soon grew quite desperate for want of suitable companionship and recreation. He was a mischievous, fun-loving boy, but his daily fare was work, nothing but work. Tiring of this, he ran away.

Back to school he went, when he was caught; and there followed another period of restraint, made worse by the continued attentions of the "wolves." Smith had been working in the printing shop of the school and was a bright, intelligent, if somewhat mischievous pupil. When the time came for him to go out again, he asked the parole agent to try to find him work at printing, which he liked, and which would enable him to live in a city or small town where he might find the

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companionship and entertainment which, at that age, were so necessary for him. To his disgust and disappointment, however, he was sent to another farmer. This one proved to be worse than the first. He worked the boy from four in the morning until eight or nine at night (as did many other farmers who obtained boys from state institutions in order to avoid having to pay regular wages to a hired hand). And to make conditions wholly intolerable, the farmer's wife used to let the dirty dishes pile up during the day, for Smith to wash before he went to bed. Smith ran away.

On being apprehended, it was decided that he had outgrown the Lyman School. He was now fourteen years old! So another capable jurist (no doubt also with reasons which seemed to him sound) sent the boy to the State Reformatory, where he was thrown in with men twice his own age, many of whom should rightly have been in a state prison, which they continued to keep out of through political influence. Again he went to work in the printing shop, at a trade he enjoyed; and once more he found himself besieged by the "wolves." By this time, however, he had become pretty sophisticated. He had learned how to keep them at a safe distance with persiflage and pretended acquiescence, exactly as a courted girl keeps at arm's length her too ardent suitors. At times, of course, caught unawares, he had to suffer the pollution of his body at the hands of degenerates, who fought each other for the chance to get at the boy. The effect of this sort of thing on Smith's mind and nervous

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system may well be imagined. The degenerates treated him as if he were a beautiful girl. In his efforts to placate them, Smith developed many of the mannerisms and reactions of the teasing professional prostitute and of the spoilt child. Such a fuss was made over him that it was inevitable that he should become vain and selfish, taking everything offered him by the wolves, never giving anything in return if he could help himself. Worse still, he was insulted and sneered at by his fellow inmates who were not wolves; and this gave him, as was inescapable, a feeling of being soiled, degraded, inferior, which made it hard for him to face those who knew about his situation, and eventually to face any one at all.

Again he tried to get the parole agent to find him a job in a printing establishment; and again he was sent out to work for a farmer. This time, thoroughly disgusted, but having learned something through past experiences, Smith did not run away. Instead, he saved up carfare to a certain city, and on a certain day presented himself at the office of a deputy commissioner and asked to see some one in authority. After a brief interval, he was shown into Deputy Commissioner Blank's office, where the following conversation took place:

BLANK: "Well, my boy, what can I do for you?"

SMITH: "I came in to see you about changing my place."

BLANK: "Why, what's the matter with it?"

SMITH: "There's so much heavy work, and I'm not

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very strong; and I never see anybody I know, or have any fun. There's nobody to play with around the neighborhood. I'm all alone, you might say."

BLANK: "Who gave you permission to come in here?"

SMITH: "No one. I thought —"

BLANK: "Never mind what you thought! You know it's against the rules for a man to leave his place of employment without permission. You've been out before. You know that — don't you?"

SMITH: "Yes. But —"

BLANK: "Where'd you get the money to come in here with?"

SMITH: "I saved up my money."

BLANK: "Have you got carfare back?"

SMITH: "No, I haven't. You see, I thought you might be willing to get me a job at printing here. I'm a pretty good pressman and —"

BLANK: "And I suppose you think *we're* going to pay your fare back?"

At this point Blank was called out of the office. Smith was badly frightened. Blank seemed angry with him. He would certainly send him back to the farmer; he might even — yes, he might even send him back to the reformatory, the hated reformatory, for having left his place without permission. He certainly acted as if he meant to do anything except help him get a better place.

In a sudden panic Smith bolted out of the office and scurried out of sight like a frightened rabbit. He walked the streets of the city for several days, care-

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fully conserving the few cents he had, sleeping behind billboards or wherever he could find a spot which looked safe when darkness fell. Just as he was about to give up hope of ever getting straightened out, he ran across three young men (all older than himself, however) whom he had known at the State Reformatory. Scarcely daring to believe in what he thought was his good luck, he accompanied them to an apartment in which they were living. It was in the "red-light" district of the city, in a neighborhood full of pimps and prostitutes, sex perverts of all kinds, kept women, thieves, drug addicts, and general depravity. One of the men had a young woman living with him in the apartment; but somehow they managed to make room for Smith. Their reasons for inconveniencing themselves soon became apparent: and now began a life for sixteen-year-old Smith which must sound so fantastic that I hesitate to attempt to describe it. Smith's companions — let us call them Green, Brown and White — had been living on their wits (if I may so carelessly term their mental acuteness). They had been going out on the "racket" known as "hustling fags." This is a racket only for very young and good-looking men. The *modus operandi* is very simple: one of the men acts as a lure, attracting the notice of some sex pervert and pretending to be one himself. He then lures the pervert into some prearranged position, where he can be safely beaten and robbed. Green, the "master mind" of this little mob, wanted Smith as a lure, knowing that the boy's freshness and great beauty

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would be irresistible to the perverts who nightly haunted the neighborhood. So Smith, having no scruples (many people, as a matter of fact, consider the sex pervert perfectly legitimate prey), became the lure of the mob, and was soon very successfully luring "fags" to their financial doom. It was a pretty safe racket; for the "fags" knew that if they tried to have the mob arrested, the mob would claim immunity on the ground that the "fag" had solicited them for immoral purposes. But safe as it was, there were, after all, only a limited number of clients for the mob in this neighborhood. Soon the word passed among the "fags" of the district that the Green mob was "dirt" — and none but a strange "fag" would allow himself to be fleeced. In time, therefore, the racket wore out, and the Green mob had to try something else for a livelihood. They began going out on hold-ups of small stores or solitary individuals, *armed with an imitation gun!* In this racket, which he considered a great deal of a lark, Smith was almost a leader of the mob. He was utterly fearless (without resorting to drugs, as did two members of the mob), and also utterly reliable, never attempting to cheat his pals of their shares of the swag. In this way they managed to live for a few months; but having been suspected by the police, they were watched, and eventually they were rounded up and convicted of robbery while armed. All of them got stiff sentences (ten to fifteen years); the smallest sentence was Smith's (nine to twenty years).

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I was in the State Prison when they arrived there — mere boys, Smith only sixteen, and none of the others older than twenty-one. Even old-time thieves were shocked to see such a child as Smith in the prison. They nicknamed him "Baby-face" at once; and at once the wolves of the place were after him. As it happens, Charlestown is a pretty strictly supervised prison, and so the wolves were at a disadvantage: without the active coöperation of the boy himself, they could do him no harm. No physical harm, that is. As for the rest, it can easily be seen that Smith, to say the very least, was in the worst possible environment for a boy of his age. The effects of close association with the most depraved and vicious characters in the State; the effects of imprisonment upon a boy whose character was as yet unformed; the effects of sexual starvation, under-nourishment, lack of fresh air and exercise, proper guidance, training, education; — the effects of prison life upon Smith can well be imagined. I have asked myself a thousand times as I looked at him: What on earth could the judge have been thinking of who sent this mere child to prison? Is this the way society treats her charges? Is this the result of all the work that has been done by serious students of social problems to prevent needless waste of money and human material?

Smith is still in the State Prison. He is now twenty-one years old and is due for parole in another year or so. His mother died two years ago. What will he be like when he comes out? What has the prison done to

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change him from a criminal into a law-abiding citizen? Smith was in a class I taught in the prison evening school. I found him intelligent and not in the least antisocial in his attitudes. I tried to help him as best I could to study and prepare himself for a decent life in the free world. I helped him get transferred to the printing department, where he learned to run a press and a linotype machine. But what will happen to him when he comes out — unless society can give him a job, a home, and proper guidance? Be sure that unless help is forthcoming, Smith is utterly lost.

There are, of course, other attitudes among the professional criminals; but in the main the attitudes (or general attitude, since it is really only one essential attitude) of professional criminals are those of Elsmore, Williams, Mills and Evers. There is an occasional criminal of better than average intelligence, like a man we may call Arthur Baker. Talking with me one day, Baker said, "Yes, of course it's all wrong to steal. But men with our appetites for luxurious living aren't going to go without the things we like when we can see hundreds of men who are no better, no more intelligent than us, living in luxury, merely through accidents of birth or fortune. Especially after we've been in prison. A man develops so many complexes after serving, say, five years or more in prison, that he'll never be right again. Any of us that have served more than five years in prison — physically, sexually, emotionally, mentally starved — *should be taken out and*

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shot. That's the only cure for us. I hate to admit it, but that seems to me to be the truth."

The four or five cases discussed here are those of relatively accomplished criminals. But only to the extent that they were luckier, or financially more successful, do they differ from the average. The fact, moreover, that the professionals constitute only about fifty per cent, of the group, does not hold out any especial hope to the penologist. For just as an active minority in the free world generally molds the current public opinion of law-abiding society, so does this active, relatively superior group mold the public opinion of the prison community. They are the celebrities, the "big shots" of their world. Like their counterparts in the free world, they wield a tremendous influence on the behavior of their associates of lower degree. For even if most criminals would admit, among themselves, the folly of crime and the wisdom of conformity to law and order, in their conduct they conform, or pretend to conform, to the prevailing opinion of the prison community. Just as "respectable" people in the free world conform to conventions in which they do not really believe, simply as a matter of social expediency, so the majority of prison inmates conform to prison and underworld conventions; and thus it is that the average criminal is hostile to law and order and to the idea of reformation. And it is for this reason that the penologist will find it impossible, or at any rate extremely difficult, to reform the members of this group.

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The unconscious basis of this attitude is, I believe, a feeling of inferiority. The only reputation, notoriety, or importance the criminal possesses he has achieved through his criminal activities. To show a desire for reformation, therefore, is to admit that he has failed, that he has been unable to finish the game he has chosen to play. It is to admit that the reputation he has won, spurred on by the need to make himself important in the eyes of his associates, is spurious. The reaction of the prison herd to an evinced desire for reformation is revealed by expressions of scorn and contempt directed at those who express a desire to "go straight." ("Losing your nerve, are you?" they say. Or "I always thought you was yellow!" Or "You must be getting religion, or something.") It is distinctly unflattering and ruffling to the criminal's ego to have to admit failure where other men have been (or have seemed to be) successful. It is, therefore, only very rarely that the professional criminal has the moral courage to reveal any desire he may feel for reformation, and in so doing lay himself open to the sneers and jibes of his fellow convicts. Usually he disguises his true feelings by saying, "My record is too tough. I can't afford to get arrested again. The next time I fall they'll send me away for life." Or "I'm not getting religion, or anything; but I've had my belly-full of prison. I'm going out and grab a pick and shovel and go to work." (Even if this happens to be his real intention, it is, unluckily, not so simple a matter, these days, to find work — even with a pick

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and shovel. Something more than a desire for work is needed nowadays before the ex-convict can find a job. And before he finds it, the chances are ten to one that he will have slipped back into the old rut of stealing.)

This, as I say, is the typical attitude toward law and order of the professional criminal. He has acquired it in schools for delinquent boys, in state reformatories, in city or county jails, in the prisons of other states, and through contact with other criminals in the outside world. Let us now try to determine how and to what extent this attitude is affected by factors in the environment of the prison itself.

There are so many factors in the prison environment which affect the convict's attitude that there is room only for a bare enumeration of most of them. There are such physical factors, for example, as antiquated buildings; a dirty, dusty recreation yard; unsanitary wooden toilet buckets; poor, badly served food; shabby, ill-fitting clothes; narrow, uncomfortable cells; dull surroundings, and the like. There are such mental and emotional factors as sexual hunger; worry about the loyalty of wives, mothers, sweethearts, relations and friends in the outside world; various mental tensions resulting from uncongenial associations, concern about chances for parole or pardon; the effects of too much reading of trashy literature; the inevitable "prison stupor" which follows too long a period of incarceration. Finally there are such social factors as visits from the outside world; religious

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services; work; recreation; and contact with guards, wardens, and other prison officials and instructors.

The ways in which convicts react to many of these factors have been described briefly in some of the preceding chapters. We shall consider here only three of the most important of these factors which have not yet been discussed; contact with prison guards and instructors; contact with the warden; and work.

It is a pretty well-established tenet of modern penology that work in the prison shops should be of a vocational nature. Here, again, theory has greatly outstripped practice. In spite of all that has been written and spoken about the need for vocational training in prison shops, I have seen practically no change in the administration of prison industries. It is true that in many prisons an inmate-wage system has been established, and this is a step in the right direction; but the nature of the work itself has not changed. In Auburn Prison (in 1927) there were no shops in which a man might learn a trade. In Charlestown Prison at the present moment there are only two such shops, capable of accommodating only a very few prisoners. The reason for this failure to reform the prison industries in accordance with modern ideas of reform is that the various prison committees of the state legislatures still insist that the prison must be a profit-making (or at any rate a self-supporting) institution — which it is not, nevertheless, in eight cases out of every ten, even under present non-vocational industries. The result of this is that a man finds it all

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but impossible to learn a trade in prison which he might follow in the free world. I do not say that learning a trade is of itself enough to reform a man; but it is obvious that without a trade or profession to follow, he will have a desperately hard time earning an honest living in the free world.

Perhaps the most far-reaching effect of doing dull, tedious work in a prison shop, year after age-long year, is that it generates within the prisoner an absolute abhorrence for work as work. He comes to associate work of any kind with dullness, and to yearn for an ideal life of complete idleness. One often hears a man say, "No more work for me, when I get out. I've done enough work here to last me the rest of my life." This state of mind is certainly anything but promising to the penologist.

We come, finally, to the attitudes of guards and wardens toward the reformation of the criminals. Of all the factors in the problem, this is by far the most important.

In a previous chapter I said that no effort had ever been made to reform me during the years I have spent in one prison and another; and that I had never known of an attempt by prison officials, as a matter of administrative policy, systematically to reform criminals. This statement, while essentially true, needs a word of qualification. For example, although no official attempt has ever been made to reform me, I am glad to be able to say that here and there I have met a guard or other prison official who was willing to do

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his part, if need were. More than one well-disposed official has said to me, "Now, for goodness' sake, watch your step when you get out, boy. You know there's nothing but pain and misery in this kind of a life. You've got ability. You don't belong here. Go out and go to work; stop drinking; and in a few years you'll be all right." Such words, and the attitudes they reveal, are, I admit, very encouraging to a man who really wants to reorganize his life. But after all, they are merely words — and, moreover, only the very rare words of very exceptional officials. They are merely individual efforts and not the official efforts of prison authorities. Whenever a guard has spoken to me in that manner, he has been careful to get out of earshot of other guards or prisoners.

A great many of the older guards and officials remember with regret the days when a convict had to keep at least twelve paces away from even a guard, and could speak only when spoken to, and then only after removing his cap and folding his arms. They feel that any attempt to improve upon the prison environment is an unwarranted pampering of the criminal, whom they rate rather below dogs, and openly sneer at modern ideas of prison reform. And even among the younger crop of guards there is an almost universal acceptance of the existing policy of *laissez-faire*. The result of this — and of the average warden's usual attitude as previously described — is that nothing is done toward reforming the prisoner. He is simply let alone, to rise or fall by his own efforts or lack of effort,

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except for rare cases where some prison official takes a personal interest in some prisoner and tries to help him rehabilitate himself.

Be sure that the criminal feels this neglect, this lack of interest in his welfare. It is at least partly because he is sensitive to neglect, and feels himself unwanted and unimportant, that he has become a criminal; and a continuance of the very factors which have helped drive him into crime are surely not very likely to bring about his reformation.

All this, of course, is a long way from the ideal conditions postulated by modern penologists as necessary for reforming the criminal. Where are the clinical studies of individual offenders? Where is the treatment based upon such studies? Where are the specially trained internes who observe and report upon the daily behavior of the prisoner and act as leaders and teachers of study groups among the prisoners? Where are the three types of prisons through which he shall pass in a re-socializing process — the receiving prison, for classification and segregation; the advanced prison, for training in self-government and self-control; the prison of discharge, where the prisoner is permitted to live under approximately normal conditions and a final test made of his ability to use his liberty properly when released? Where are all these things? In the minds and books of penologists! In the papers read before learned societies! Anywhere, in short, except where they should be — which is in the prisons of America.

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I am aware that in New York, Illinois, California, and at the State Prison Colony at Norfolk, Massachusetts, some effort is being made to incorporate these ideals into the prison system. I realize, too, that the fault does not lie with prison commissioners so much as with timid, politically enslaved governors and legislative bodies. But no matter whose the fault — the prison continues to be a most abject failure as a social institution. Until the time comes when all of these unfavorable conditions have been eliminated, it is somewhat futile to expect the criminal to pull himself up, as it were, by his own boot straps. Of all the persons on the face of the earth, the criminal is surely the person least likely to be capable of such a miracle. His reformation, where it is at all possible, will be achieved only through a great deal of well-directed pulling from above; but until such help is made available, he is no more likely to reform himself than he is to grow two heads. That he must be reformed, unless society is to be completely dominated by the criminal element, is becoming more and more apparent to enlightened observers of the current American scene. At the rate at which progress is at present being reported, however, it is likely — unless a miracle takes place — that conditions will remain what they are for a long time to come.

Chapter V

Prison Ethics and Etiquette

IN every community there are certain prejudices and practices, in a word mores, which although they are largely unwritten, influence not only the behavior of individuals, but the social health of the whole community. This is as true in the prison as in any other social unit.

In prison, for example, it is generally held to be a social error to talk to a guard or other official, except in an effort to obtain personal benefit (at the expense of the State) or to advance the interests of prisoners as a group. Any inmate seen talking frequently, or for any length of time, with a prison guard is likely to be suspected of treachery. Unless he has clearly established his reputation for being "right", he is sure to be called a "rat" if he persists in such conduct. There are exceptions, of course. Certain guards are known to be averse to the use of information turned in by "rats" (although such guards are as rare as the proverbial snowballs in hell). It is not deemed wrong

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to talk with such guards, who are considered nearly "right" themselves. Even a man with a reputation for being "right", however, so strong is intramural prejudice in this matter, generally thinks it wise, after being seen talking with a guard, to make some sort of explanation. "I was only trying to build him up for a change of jobs," he will say; and if he is a man who values his prison reputation, he will make it a point to talk openly and unconcealedly when he has occasion to talk with a guard. Any appearance of stealth is damning. The "rats" (informers), of course, make it a point never to be seen talking with guards unless they have already become known as informers, and have therefore already lost their standing among their fellow inmates. Even when they have become generally known as "rats", however, many of them continue to be stealthy and furtive in their dealings with officials; the theory being that there are always new men coming into the prison to whom their true characters are as yet unknown. In some prisons in which I have served time, informers are pretty harshly dealt with. In the prisons of New York, for example, the life of an informer is fraught with danger and the certainty of eventual sudden death. In Auburn Prison, in 1926, two Italians came to blows in one of the shops. Finally they drew their knives, without which most Latins never travel, even in prison, and one of the men was pretty badly wounded. Unwise to prison ways, or perhaps so eager for revenge that he lost all sense of discretion, the man who had been

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wounded went out to court and testified against the man who had wounded him, with the result that his opponent received an eight-year sentence for assault with a dangerous weapon. They were brought back to the prison the same day and locked into their cells until it was time for recreation. As the bell rang for yard, they left their cells and walked down the stairs and along the corridors toward the yard. The man who had turned state's evidence did not even get as far as to the yard. He was picked up in the cell block with a nine-inch knife sticking out of his heart; and the authorities never did find out who his assailant was — except that it was not the man against whom he had testified, who was in a different cell block. During my three-and-one-half years in Auburn I knew of five other cases where informers or suspected informers were thus dealt with; and in another prison I actually saw two men stabbed to death for violation of the unwritten code of the underworld.

The importance of this underworld custom is not in the fact that an informer occasionally gets killed. It is in the fact that through fear of bodily harm and possible death the inmates are as a rule kept from being on decent, normal terms with prison guards and other officials. Unless the guard is himself "right" (in other words more or less crooked), the prisoner fears to incur suspicion by being seen talking with him. Thus the average prisoner, should he feel the urge for reformation, and the desire for encouragement and support from the officials, is afraid to seek aid. After

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all, he is a prisoner; he has to spend most of his time among the other prisoners; and he naturally hesitates to incur ostracism at the best, and death as a likely worst, should he depart from the code generally accepted by the prison herd. This explains why it is that prison officials, even when they try to help prisoners to reform, find it so hard under present conditions to accomplish anything.

This code of conduct has another effect which is bad for the morale of the prison. Prison guards are not for the most part educated and intelligent men. They sense the antagonism of the prisoners and in most cases react in the natural way. That is, they too become hostile to their inmate charges. They resent the hostility of the roughneck type of prisoner and resent the intellectual superiority of the more intelligent prisoner; and thus a wall of active hatred and antagonism springs up between guards and inmates.

It goes without saying, of course, that in most prisons the admirable part of this code is more honored in the breach than in the observance. Men of high ideals, men with a personal code which is rigorously lived up to, are infinitely more scarce in prison than they are anywhere else. In the old days, when a convict or a criminal was actually a social pariah, shunned by all respectable people, he was forced into a group, the code of which he was obliged, at the risk of death, to live up to. At present, when laws in general are broken by nearly every one, the sharp dividing line between criminals and honest men has broken

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down, and thus the underworld code has become, like most religious codes or ethical standards, greatly undermined and weakened. There is, in other words, very little of that "honor among thieves" of which so much has been written. Thieves are, for the most part, pretty treacherous, double-dealing wretches, without a trace of glamour, and very different from the "gentleman thief", "Raffles", and other types beloved of crime-fiction writers and sentimentalists. The average convict, as a matter of fact, however loudly he may assert his adherence to the prison code, usually deems it proper to violate it if he can do so without getting caught and if in so doing he can advance his own interests. I have known quite a number of inmates who were generally believed to be "right", who were "rats" under cover for years, and thus secured paroles and other privileges for themselves through betrayal of the pals to whom they vociferously pretended to be loyal. The only criminal who, as a rule, can be expected to live up to the prison code is the gangster (and some few high-grade thieves). The gangster is usually a man who has grown up in a neighborhood where rigid adherence to the code was a matter of life and death, so that it is actually a religion with him to be "right." If any one questions my use of the word "religion", I refer him to John Stuart Mill, who once stated that, "Any man who lives up to a code of behavior based upon ideals which to him seem upright and fair, has a religion, however warped and misguided it may be." And any one who has had close

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associations with gangsters will understand why I use the term "religion" in speaking of his attitude toward the underworld code. Most gangsters, it happens, come from the slum districts of the city, usually from parents of foreign (including Irish) extraction. Most of them were brought up in the Catholic faith and have thus at an early age been impressed with the need of close adherence to a body of belief which was generally despised by the majority of the members of the community (Catholics have always been at a disadvantage in the American community, except in the urban centers).

Having spent several years in daily contact with the gangster, I have had ample opportunity for observing the way in which he lives up to his narrow code. Without for an instant wishing to glorify him, or make him glamorous (which he is not), I nevertheless have to record that he is, of all criminals, the man who most nearly lives up to a code of conduct which he believes right (from his twisted point of view). I have personally known gangsters who went to prison for long terms when, by revealing the truth, they could have shifted the blame where it rightfully belonged (on other members of the tribe who luckily evaded arrest). When Mr. Osborne was warden of Sing Sing, there were thirty-nine executions. Mr. Osborne was on unusually close terms with the gangsters. They knew him to be trustworthy, a man of honor, whose word was his bond, never to be violated. For this reason he was able to learn (confidentially,

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of course) a great many things which he knew nothing about officially (as warden). In this way he knew, for example, of four gangsters who went to their deaths in the electric chair for crimes they did not commit. From the gangsters' point of view, this was merely "the breaks of the game", which they accepted bravely and philosophically. Had other gangsters happened to get caught in their places, these would also have been expected to accept their hard fate without breaking the chief tenet of their faith: "Never squeal! Death before dishonor." Such men surely had a religion and lived it. That is why I consider the gangster the most high grade of criminals.

As for statements that the gangster is merely a drug-crazed, cowardly killer, which has been made chiefly by prejudiced policemen and ignorant fictioneers, may I say this: There are, it is true, cowardly hangers-on in every group, spineless fellows who can function only as units of a gang and are personally without courage. These are not, however, true gangsters. They are merely the toadies and weaklings who have always attached themselves to the camps of the strong. The true gangster is usually anything but lacking in physical courage. I have seen gangsters stand up and fight each other with clubs, knives, sidewalk bricks, or anything which happened to be handy, in rough-and-tumble fights where there were no rules except that the toughest man would survive. The gangster will fight fairly only with those he considers his equals. The fact that in late years gangsters

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have taken to putting each other "on the spot", as it is called, has gained them the reputation of being cowardly killers who shoot their enemies in the back. The real gangsters do not resort to this method of killing through cowardice: it is rather a matter of caution. For the most part, gang killings are now committed by hired gunmen, who often have no other connection with the gang. With them killing is purely a matter of business — a dangerous business which must be done quickly and without involving arrest and execution. The hired killer, therefore, arranges to have his victim at a certain spot at a certain moment, when he steps in and finishes the grim business and dashes off to a prearranged place of safety and an alibi usually prepared in advance. It is not the fear of enemy bullets, but the fear of arrest and execution which makes him do the business thus callously and expeditiously. For this reason, however, the gangster has been called a drug-crazed, cowardly killer (although the police, when they go in large numbers to arrest a gangster, prove that they do not thus lightly rate his courage or fighting skill). He is essentially the killer. He does not, like the average man, merely feel like punching his enemy into submission; he goes out to kill or maim when his anger is aroused, and nothing short of death or unconsciousness will stop him from fulfilling his ruthless purpose.

It would be interesting to try to trace the connection between the religious killings of the Spanish and other religious *inquisitores* and the gangster killings,

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such as the notorious St. Valentine's Day massacre in Chicago. Those who cry out the loudest that such events are indicative of unusual depravity in our day, have apparently forgotten the famous St. Bartholomew's massacre in France, or the ruthless exploits of the Spanish *conquistadores* in Mexico and South America, or the imperialistic massacres in India, Africa and elsewhere. Like the gangster killings, these were merely the ruthless efforts of a class or group to win domination and power, exactly as the gangster of to-day is trying to gain power in America (and succeeding to an alarming degree). There are of course logical pitfalls in such an analogy; but I believe there is a very definite connection, could one but trace it.

Prisoners who sing in the choir, teach in the prison school, or otherwise interest themselves in legitimate intramural activities (including writing for the prison magazine) are generally sneered at and despised by the more "hard-boiled" element within the prison. Such men generally are called "administrative pricks" and worse names, and suspected of being informers and toadies (which, as a matter of fact, many of them really are). Any prisoner who has a good word to say about the food, entertainment, recreation, work, or any other administrative detail, can expect to be tagged with such a title, and to be more or less ostracized by the professional criminal group. There is, from the prisoners' point of view, something to be said for the attitude that "boosting" is treachery to the community; for conditions in most prisons are

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admittedly bad, and it certainly does not tend to improve them to have prisoners pretending in the prison magazine that they are satisfied and happy under existing conditions. On the contrary; for the prison authorities do not consider that the men who "boost" usually do so to advance their own selfish interests, to curry favor which may bring them privileges or a parole. In Charlestown, I remember, the inmate publication (*The Mentor*) was so purely an administrative organ, and so lamentably failed to represent the opinions and attitudes of the average prisoner, that eventually no one would write for it except men who were almost brazenly of the "booster" type.

The prevailing attitude, at any rate, is that it is wrong to admit that the prison officials are right about anything they do: carping criticism is the order of the day — although not one inmate in a thousand would have a worth-while improvement to suggest in place of the condition he criticizes. He is simply against everything. "Down with Everything!" is his motto — so long as it gives him a chance to be in opposition to his natural enemies, the enforcers of law and order.

Any guard who reports an inmate for smoking after hours, or for any minor breach of rules, is considered a wretch of the lowest order. The names such a guard gets called (under the prisoner's breath, usually) are totally unfit to print. The prisoner is a breaker of laws. The idea that a rule should be obeyed, not because it is sensible or pleasant, but *because it is the rule*, is utterly beyond his understanding. Such

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rules as forbid him to break out of prison, or to commit murder, he will generally concede to be obeyable; but all others he feels that he may break whenever he gets a chance, and thinks it outrageous that he should be punished when he is caught doing it. Especially is his anger aroused when he is punished for some offense at which the "screw" did not actually catch him, but which was reported to the guard by an informer. At such times he feels himself a terribly abused person. When he comes out after several days of bread and water in the "cooler", he expects and usually gets sympathy from his fellows, who also believe that he has been pretty badly used. If one were to tell him that he has simply been foolish and stupid to break rules when he knows that violations mean punishment, he would be highly insulted and probably suggest that whoever so admonished him must be a religious bug or a "Y.M.C.A. pansy." There is simply no respect for laws and rules as necessary adjuncts to civilization and social organization. The prisoner feels that the rules have been made merely in order to prevent him from doing the things he wants to do, and thus he resents them very strongly and breaks them when he can.

The word of a prison guard naturally outweighs that of a convict — and this gives the guard power which he quickly learns to employ against the prisoners who displease him. They know that whatever the guard says, when reporting them for violating rules, will be believed by the warden. It *must* be believed,

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otherwise the whole system of discipline within the prison is shattered. The minute a prisoner's word is taken against that of a guard, the balance of power is broken; so that even when a warden knows that a guard is lying, he has no choice except to take the guard's word against the prisoner's (unless, of course, he is ready to go to the extreme length of discharging the guard, and even this he cannot do without proving before a civil-service commission that the guard has committed a serious breach of faith). The prisoner, knowing that when he is reported he will infallibly be punished, and realizing that nothing he says will carry any weight, invariably lies and exaggerates in an effort to create friction between guards and higher officials, alleging that the guard is persecuting him (which may often be the truth, for guards are anything but backward in taking out personal spite or dislike on men who have incurred their ill will). This creates a bad atmosphere in the prison and certainly does not make for cordial relations between officials and inmates. It is one of a number of factors which make for constant friction and discord and hamper any efforts at reforming criminals. The crux of it is, of course, that guards and prisoners alike are for the most part unintelligent, prejudiced individuals, who rarely make allowance for each other's situations or aims.

When the average prisoner has an argument or fight with another inmate, he generally feels called upon to be as vindictive as possible, considering it a sign of

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weakness and effeminacy to shake hands afterwards and make up the peace with his enemy. He will rarely let the matter drop but will try to arouse the enmity of all his friends against his latest antagonist. To do this, he will tell a highly prejudiced story of the events which led to the quarrel and claim that everything his enemy says in rebuttal is a lie; and generally attempt to make his enemy out a "rat" or a "lousy bastard", or anything which will result in his ostracism. There is very little good sportsmanship or sense of fair play, it being considered the essence of folly and weakness to give an enemy an even break. The idea is to win, to gain the advantage — no matter how.

Although he professes to despise the informer, the average inmate who is not a gangster thinks it perfectly justifiable to inform against an enemy, especially a prison official. Or if a fellow convict has given information against him, he usually feels that he is then justified in doing likewise; the idea that two wrongs never make a right is too subtle for him.

The average prisoner dislikes the work of the prison; but he actually hates any work of a menial kind — such as emptying the slop buckets. Many inmates prefer to go to the cooler for ten days of bread and water, rather than to perform work they consider beneath their dignity! The fact that it is work which must be done, and that some one must perform it, does not make any difference. The usual reaction is: "What, me empty buckets? I should say not! Who

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the hell do they think I am; some goddam bum? They'll never make me do any of that kind of crap!"

Many inmates who work in offices, or hold relatively important jobs within the prison, become afflicted with the "big shot" complex and consider themselves highly indispensable persons. They are frequently seen strutting about the yard, bragging to their fellows of their ability, their privileges, and their general importance in the scheme of things. "Why," they will be heard to say, "that so-and-so of a 'screw' would be absolutely helpless over there without me!" I have seen men on intramural jobs, especially when working in the deputy warden's office as runner, who had so exalted an opinion of their capabilities and importance that I doubt if they could ever accustom themselves to normal positions as relatively unimportant persons in the free world. This naturally has a tremendously bad effect upon their chances of readjustment when they leave prison. Men who have been minor heroes in the prison world because of prominence in musical, athletic, or other activities, often go the same way. There was, I remember, a prisoner named Walthour who had a very important prison job. He was the deputy warden's clerk. The deputy warden depended greatly upon Walthour for information about men who applied for various jobs and special privileges; and thus Walthour came to wield a great deal of power. If he recommended a man for a job, the man invariably got it; and so Walthour became a prison "big shot." He could walk un-

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challenged anywhere within the walls and could obtain for a friend (or for a cash consideration) anything within reason which a prisoner might desire. The job and the power went to his head; he became perfectly insufferable, although he was clever enough not to let the deputy warden see to what extent he had been influenced by unaccustomed power. When he was released, after five years of this power, no job he could obtain in the free world could satisfy him. In the free world he could be nothing better than a second-rate clerk. This did not please him nor was it unruffling to his inordinate conceit. He threw up one job after another because he could not bear to be an ordinary mortal again. He took to stealing, riding about in a flashy car, pretending to be the same "big shot" in the free world that he had been in prison. Skeptical policemen in the town soon began to keep their eyes on him, and within three months he was back in prison — where he immediately began angling for another important position.

In Eastern prisons, with the sole exception of those in the State of New York, there is little of that solidarity among prisoners which under the conditions one might expect (and about which so much drivel has been written). In New York it is the gangsters who preserve the spirit of solidarity in the prisoner group. I think this will be found true of every prison in which there is a sizable group of gangsters (as in Joliet, Illinois; Jefferson City, Missouri; San Quentin, California, etc.). For the rest, the

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prisoners are, as far as my personal experience and observation go, a pretty shabby lot in that respect. In Charlestown, for example, there is hardly a trace of class consciousness or *esprit de corps*. There are perhaps fifty or sixty inmates in the population of nine hundred who have any faintest notion of loyalty to their kind. I remember several very revealing events, in this connection. For example, a man was caught surreptitiously playing checkers in the brush shop. When haled before the deputy warden for a breach of shop rules, he said, "The men up in Shoe Four can play checkers when they get their work done; I don't see why I shouldn't be allowed to do the same down here in the brush shop." That this was sound reasoning is beside the point. The point is that he thought only of himself, of saving himself a few days in the "cooler" by revealing the fact that his fellows in another shop, under a more broadminded guard, were permitted a privilege which was denied him. He cared not that in so doing he would deprive fifty fellow prisoners of a petty privilege they had been lucky enough to obtain. Another incident reveals this tendency even more sharply. Two men planned to make an escape. During a morning church service attended by only a few inmates (of the Episcopalian sect) and guarded by a single officer whom they planned to over-power, one man was to seize the guard's gun and hold the roomful of prisoners in check while the other man sawed out a steel window bar which would permit them to escape. Luckily for

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the guard, his gun was unloaded. As the men assaulted him, he cried out for help, and told every one that the gun was unloaded. One of the desperate men, had already secured the gun, held it against the guard's body, and pulled the trigger. When the gun failed to explode, several prisoners, instead of helping their fellows, as might have been expected, ran to the guard's rescue, and at length the two desperadoes were subdued. The thing which I made note of at the time was that the men who jumped to the rescue of the guard were not men who had reformed and were sincerely interested in upholding law and order; they were two of the most notorious hypocrites in the place, men who "played" the religious and welfare workers for all there was in it, and were now aiding the prison authorities simply because they saw a chance of thus advancing their own selfish interests, possibly to the extent of winning paroles or even pardons. As it happened, however, one of the men was a lifer whose own father had objected to his getting a pardon; but the other man obtained a parole within a few months. . . . Even more illustrative of the lack of class loyalty is the steady stream of notes which pours daily into the warden's office of any prison. In these notes the prisoners "get even" with personal enemies by telling tales and generally stirring up envy, jealousy, and a vast amount of friction.

The average prisoner, despite all that he has seen of treachery and double-dealing, which ought to teach him that appearances are often deceitful, seems to

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have developed little charity. He is very quick to condemn a fellow prisoner at the slightest hint of scandal. A friend of mine, who happened to be very well connected with some crooked politicians, once went out before a grand jury to testify against a "fence" who had withheld a large sum of money after disposing of the proceeds of a jewel robbery. The idea was simply to force the "fence" to disgorge more money. It was plain extortion. Through a crooked district attorney the "fence" had been arrested and the plan was to have him indicted by the grand jury. There was no thought of actually bringing him to trial. He was simply to be scared so that he would contribute a sizable sum of money for the "nol-prossing" of the indictment. But the prisoners, of course, did not know all this. All they knew was that Swain had testified against some one before the grand jury. At once he was ostracized by the inmates. That he had all his life been "right" counted for nothing; that the "fence" never came to prison, and never even came to trial, was also of no consequence; and that my friend asserted that it was "all in the bag" (this was as far as he could let the whole group into the secret) made no difference. To this day he is considered "wrong" by all but a few intimate friends who were on the "in" of the story.

It is currently believed by the average prisoner that all religious and welfare workers who come to the prison are moral and sexual degenerates of one kind or another. The reason for this is that occasionally a

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male worker has actually been a sex pervert and occasionally a female worker has proved to be a sex-starved old maid. Another reason for this belief is to be found in the activities of the workers themselves. It seems that they almost invariably select, as deserving prisoners to help, the most depraved inmates in the institution. This is not their fault; it is due simply to the fact that such men appeal so strenuously and shamelessly for help that the worker can hardly help but yield to their importunate cries. And since so many of these men get help, whereas so many decent men (who hesitate to apply for help) are left unaided, this leads to the belief that welfare workers deliberately select sex pervers as deserving cases. Moreover, the average prisoner, because of vanity and egotism, believes it far more manly to steal than to beg; and so the prisoner who needs help is afraid to apply for it lest he incur the scorn of the prison herd, who would say to him, "Losing your nerve, eh? One of these Salvation Army bums, huh?" In other words, it is considered a worse crime to accept legitimate charity than to steal.

The egocentricity of the average prisoner is revealed in the most startling as well as in the most amusing ways. It is apparent in his brash loudness of voice, his pushing forward of himself and his views at every opportunity. When he is in line, he will crowd and shove his fellows (unless they are bigger than he is); at the table he will reach impolitely across his neighbor's place and grab the biggest or best

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portions of whatever is in sight; at the table he is inconsiderate and coarse, belching, feeding noisily, and generally revealing the table manners of a healthy pig.

A friend and myself used to play a little game at mealtimes in a certain institution: we called it "Dodging the Inhalers." There were numerous men who were noisy, sloppy feeders, especially when there was soup. There were several who were outrageously noisy and disgusting. These we called "inhalers" and endeavored to stay as far away from them as possible in the mess hall line. It was usually our bad luck, however, that while dodging one or two of them, we would wind up sitting directly across the table from one or two others! Rather than spoil our days by yielding to the inclination to go without luncheon, we would make a burlesque of it and manage to have some harmless amusement at the expense of the soup inhalers. We would whisper to them, "What's the name of that piece?" Or my friend might say to me (loudly enough to be heard by the inhaler): "That sounds like the *allegro strepitoso* movement from 'Poet and Peasant,' what?"

One could simply sit at the table and watch the men eating, and learn an embarrassing number of things about their essential characters. . . . I knew a man who revealed his sense of inferiority (or his streak of exhibitionism, which is perhaps another side of the same feeling) by honking loudly whenever he blew his nose (he was a very small and very grotesquely proportioned man). He also used to bedeck

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himself with every conceivable item of masculine adornment: mustache; sleeve garters; leather fountain-pen-and-pencil holder sticking up out of his pocket; extra buttons on the pockets of his shirt; tortoiseshell glasses; he simply wore everything but the well-known kitchen sink. There was another physical misfit, a little hunchback, who had a very fine pair of lungs, and never lost an opportunity of clearing his throat with a *harrumph*! which sounded like the growl of a giant.

I have wondered a great deal about the connection between crime and physical ugliness or deformity. That there is such a connection I have no faintest doubt. The physically unattractive man is naturally handicapped in the competition for women and sexual satisfaction. To compensate for this he desires money with which to bribe or impress the woman he desires. Unable to get it quickly enough by legitimate means, he steals it. If this is true of the thief, how much more so is it true of the raper and the murderer? Because of physical deformity or ugliness, many men are unable to secure sexual satisfaction in a sufficient degree and thus are more or less driven to rape the woman they desire but cannot otherwise possess. At the bottom of many murders, too, there is a sexual angle which often can be traced to physical unattractiveness. Many a man has killed a woman who would not accept him because of his physical unattractiveness. And at the bottom of a great deal of stealing there is the desire to bribe or impress some greatly desired female.

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Woman, more than money, is the root of all evil, from this viewpoint.

As a result of spending so much time alone in the cell, where he reads, studies, broods, thinks, or indulges in daydreams and erotic fantasies, the prisoner's mind becomes brimful of thoughts, vague ideas, and speculations which he seldom gets time or opportunity to discuss with any one. He is thus constantly obsessed with a desire to talk, in order to clear his head of all that is in it. This results in a tendency toward monologue: the prisoner does not talk with but at his listener (as a discerning friend once pointed out to me).

Typical of such men and of this reaction is old Jim Slater. Jim has served nearly thirty years in prison. He can recite poetry and doggerel by the ream, he can give monologues on a number of subjects. When he joins a group of prisoners he unconsciously begins to rid his mind of a lot of the vague fancies that are in it. He is intent on talking, not on conversing, and can barely conceal his vexation whenever any one else manages to get a word in. He does not even bother to listen when any one else speaks; he merely waits until the interrupter has said a few words and then rudely goes on with whatever it was he was saying. He will talk literally by the hour, not very interestingly, either, but will get very angry if any one tries to steal the floor from him. It is simply, I suppose, the subconscious desire to compensate himself for the years of solitude and silence of the cell.

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This tendency, and also the other mental phase known as prison stupor, are well illustrated by what I call the "hanh habit", which is prevalent to an astonishing degree in prison. When I first began to notice it, I immediately assumed that deafness was a common trait among prisoners; for half the time when I addressed a man he would give me a stupid look and say "hanh?" But I learned after years of observation that although the man is not deaf, he has been in a stupor, absent-minded, so that while he hears you speak, he does not hear what you say. This having to repeat my words every other time I spoke got on my nerves so badly that I became very irritable. It was extremely trying, even when a man was facing me and apparently attentive, to have him give me a vacant "hanh?" every time I spoke. But at last I saw that it was another symptom and effect of prison stupor and lost my irritation about it.

There is a vast amount of dogmatism and intolerance in the average prisoner. Once he has declared an opinion, no matter how ridiculous he may presently think it himself, he will abide by it, deeming it a sign of timidity or cowardice to retract it, or to admit he was wrong. No matter what proofs are advanced of his mistakenness, he will usually say, "I don't give a damn what you think, or what anybody else thinks; I know I'm right," and all the argument in the world will not make him retract, even when he knows himself to be wrong. After encountering this attitude with monotonous frequency, I made it a rule never

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to discuss anything (or rather, to argue about anything) except with fellow prisoners whom I had found to be at least normally intelligent.

The average prisoner is not interested in ideas or in any abstraction. When he discovers a writer in his midst, his prayer is, "Don't forget to write this place up when you get out. Tell them what a lot of bastards these screws are, and how rotten the chow is, and all like that." What he wants presented is not a true picture of prison life, but a distorted one which will depict the things he personally does not like. If he is a natural glutton, the food is what he wants shown to be unfit for consumption. If he is a lifer, he wants it known that a life sentence is a long sentence, under which a man suffers a great deal. It is futile to point out to him that these facts are not new or original, but have been known for hundreds of years by outsiders. If the writer ignores such trifles as food and entertainment, and really tries to discuss the significant things about prison life, the herd considers him either pretentiously "high hat", or an out and out traitor to the cause. Admittedly the prison environment is bad and greatly in need of improvement. Every one knows this. Admittedly, too, the prisoner's state of mind, his attitude toward law and order is bad, and admittedly, too, the prisoner shows very little inclination to mend his ways — but this is a matter which he does not care to have discussed. Perhaps the improvement of the environment will help him to put himself in a proper mood of contriteness out of

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which may grow a desire for decent living. An effort is being made to determine whether or not this is true. The effort is not organized, except here and there, and tends to be destroyed by politics and social corruption, but the great fact is — it exists and gains in a painfully slow fashion.

Chapter VI

"Men Without Women"

SINCE the days of Ancient Greece, and very likely long before that, students of human behavior have known that wherever men or women are deprived for very long of the normal means of sexual satisfaction, they almost invariably resort to such substitutes as masturbation, oral copulation, sodomy, and various bodily and mechanical substitutes. Writing in 1923 ("Prisons and Common Sense"), Thomas Mott Osborne said:

"There is another prison problem, understood but seldom mentioned by wardens, which should no longer be ignored. 'There are two things,' the captain of a great battleship of our Navy once said to me; 'two things which I can never handle properly until I can get the coöperation of my men: Theft and sodomy.' One of the inevitable results of a mass of men being thrown together, either in prison or in the Navy, is the prevalence of unnatural vice; and if it is hard to control in the Navy it is impossible to exterminate in a prison. . . ."

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So far I am in hearty agreement. But when he states (on page 91) “At first thought it would seem as though the freedom of the League, by giving additional opportunities to the more dangerous men, would increase rather than diminish the evil”, and then goes on to describe how the League members at the Naval Prison so well succeeded in wiping out vice that Portsmouth became known as “the cleanest ship in the Navy”, I am bound to reply, in the interests of truth, that in this as in other ways Mr. Osborne was hoodwinked and deluded by the men he trusted, and that the Naval Prison under the League régime was an absolute bawdy house. This, I hasten to say, was almost inevitable, and in the earlier quoted remark, that “vice . . . is impossible to exterminate in a prison”, Osborne came very close to the truth. Conditions did *improve* under League guidance; but the improvement consisted chiefly in the public exposition of one or two clearly moronic degenerates who were transferred to another institution, and not in any general revulsion of feeling or attitude on the part of the bulk of the prison population. . . . If sailors and soldiers, monks and nuns, have been driven by dire physical and emotional necessity into such abnormalities of behavior, is it to be wondered at that the convict has been driven to the same extreme? For of all the social units in which the sexes are isolated, the prison is surely the one in which the isolation is the most complete. The imprisoned man is essentially the man isolated from the woman. It is in this respect that he

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differs most sharply from the man in the free world. If the imprisoned man endures hardships in the way of poverty, mal-nourishment, paucity of entertainment, recreation, and the like, so also does the average man in the free world. But the free man, regardless of his financial, personal, social and other limitations, can and does — legally or illegally — have access to the woman. The imprisoned man is completely and utterly cut off from her and thus many inmates are cruelly, remorselessly driven by their unsatisfying environment into the morass of sexual depravity.

Do you care for the additional testimony of an illustrious prisoner of another day and age? If so, give careful attention to the poignant words of the author of the "Ballad of Reading Gaol":

"With bars they blur the goodly sun
And blur the goodly moon:
And they do well to hide their Hell
For in it things are done
That Son of God, nor Son of Man,
Ever should look upon.

"Each wretched cell in which we dwell
Is a foul and dank latrine:
And the fetid breath of living death
Chokes up each grated screen;
And *all, but Lust, is turned to dust*
In Humanity's Machine."

The underscoring here is my own; but you may be sure that these words were as heavily underscored in

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the mind of Oscar Wilde as they are in mine, or in that of every ex-prisoner. From this point of view, I am in vigorous accord with George Bernard Shaw, who once wrote that “Imprisonment as it exists to-day is a worse crime against the prisoner than any crime the prisoner commits against society.” For of all the possible forms of starvation, surely none is more demoralizing than sexual starvation. If one becomes sufficiently hungry or thirsty, one naturally suffers a great deal; but usually only for a comparatively brief time. Relief is always in sight — even if it come in the desperate form of death. But to be starved for month after weary month, year after endless year, in a place where “every day is like a year, a year whose days are long,” for sexual satisfaction which, in the case of a lifer, may never come, this is the secret quintessence of human misery. Is it any wonder, then, that the prisoner should seek relief in any available form? To the man dying of hunger and thirst it makes very little difference that the only available food and water are tainted. Likewise it makes little or no difference to the average prisoner that the only available means of sexual satisfaction are abnormal. It is merely a matter of satisfying as best he can the hunger which besets him. I mean a hunger not only for sexual intercourse, but a hunger for the voice, the touch, the laugh, the tears of Woman; a hunger for Woman Herself.

It must also be stated, as a matter of truth, that not all prisons are tainted by sexual abnormality.

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The county jails, to which men come for short terms, and where the inmates are more of the circumstantial than of the true criminal type, are comparatively free from homosexuality. Some state prisons, where there is no overcrowding, where inmates have separate cells and where there is strict supervision, show on the surface, at least, a superficial purity. But everywhere there is sexual hunger, the longing for the companionship and the body of Woman.

Before going any further, however, it is necessary to be a bit more specific. For it is not true that all prison inmates are driven into sexual abnormality. As in the case of hungry and thirsty men, the degree of starvation and the lengths to which the starving man will go to satisfy it depend very much on how long he has been starving, and also upon his natural capacity. Clearly, in the case of prison inmates, the man serving his first and comparatively short term does not suffer to the extent that the recidivist, the long-term, or the lifer suffers. The middle-aged, the old, the ill, the feeble prisoner does not hunger for sexual satisfaction as hungers the young and healthy prisoner. Moreover, one man has not the same capacity or desire for it that another has. The man who, before coming to prison, has been happily married for years, or has lived a life in which sexual contacts were frequent and satisfying, suffers more than the man who, because of personal ugliness, deformity, an unfavorable environment, or other cause, has not been able in the pre-prison years to obtain many, or very satis-

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fying, sexual experiences. All these factors, therefore, and certain others, must be taken into consideration.

Right here, however, the investigator runs against an extremely stubborn snag. For although it would be of value to know exactly how many prison inmates become victims of sexual starvation, and to exactly what extent, how may this knowledge be arrived at when there are not any statistics? Worse yet, it seems very improbable that such statistics will ever be available to the investigator. Most prisoners are of the extrovert type, little given to self-analysis or introspection, so that in spite of the suffering they endure they are seldom capable of working out in their own minds the causes and effects of their maladies. Then, too, the mind of the average prison inmate, like the mind of the average man in the street, is usually such a conglomeration of prejudices, ignorance, and general chaos, that his interpretation of his own feelings and reactions would be pretty useless. For the prisoner with a really good mind is an extreme rarity, all the master-mind fictions about him to the contrary notwithstanding. (In a Binet-Simon test given to about fifteen hundred inmates of Auburn Prison during my time there, for example, only about fifty prisoners were rated ‘‘superior male adults.’’) If he could be persuaded, somehow, to reply truthfully to even two or three questions, the prisoner could be of some value to the penologist; but for various reasons elsewhere discussed, he resents and hates anything which remotely savors of a test, and generally does all he can

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to bewilder the examiner with evasion and falsehood. Except in my own case and in the cases of my fellow convicts with whom I was on terms of intimate friendship, I am unable to give any figures which would be any better than a guess. From my experience and observation, however, I do not in the least hesitate to say that no prisoner is entirely unaffected by sexual starvation; that all adult prisoners suffer from it in varying degrees of intensity.

Before discussing the effects of the malady, though, let us ask this important question as to its causes: To what extent is sexual abnormality caused by the prison environment and to what extent by tendencies inherent in the prisoners themselves?

The facts at my disposal prompt me to reply that the prison environment, working upon the tendencies toward homosexuality in the prisoners, is the chief cause of their abnormal behavior. For, since such abnormalities exist even in the normal free community, the prison environment cannot be held wholly responsible. It is an equally well-established fact, however, that such abnormalities exist to a much greater extent in social units like the prison, in which the sexes are deprived of free contact with each other.

It is not my purpose, nor am I in the least competent, to discuss homosexuality in all its intricate phases. The authorities agree that homosexual tendencies do exist in many, if not in all persons; and this plays a vital part in the rise and increase of abnormal sexual behavior among prisoners.

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The fundamental question is — To what extent is the abnormality caused by the individual tendency, and to what extent by the prison environment? If pinned down to a specific answer, however, I can be no more exact than this: The prison environment plays a greater part than the individual tendency in creating sexual abnormality.

The following are my reasons for so believing. First of all, it is as true of prison life as of life in the free community that herd opinion and behavior greatly influence the opinion and behavior of the individual. Now herd opinion and behavior in the free community are decidedly hostile to radical behavior and opinion on the part of the individual; whereas herd opinion and behavior in the prison community are, on the contrary, distinctly favorable to almost any form of unsocial behavior or opinion. So that while homosexuality is frowned upon and discouraged in the free world, in the prison world it is not. As Oscar Wilde, the greatest and most pathetic of prisoners, wrote, many years ago:

“The vilest deeds, like poison weeds,
Thrive well in prison air.
It is only what is good in men
That wastes and withers there.”

The average prisoner is preëminently the egotist. Not necessarily selfish in petty ways, he is in most essential ways supremely selfish. It is, in fact, principally this disregard for the personal, property or

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sexual rights of his fellow men which has brought him to prison. The late Thomas Mott Osborne was fond of saying that, to the extent with which the criminal allowed full sway to his own selfish desires, there was nothing abnormal about his conduct; that respect for law and order, and not criminality, was the artificial, acquired trait. It is only natural, therefore, that since homosexual practices enable the prisoner to obtain some measure of sexual relief, and thus pander to his comfort, he has no deep objection to homosexuality as such. Though he may (and generally does) despise and ridicule those homosexuals who play the passive (or female) part, he nevertheless avails himself of the relief they are able to administer to him. Herd opinion and behavior within the prison community, therefore, may be said to be distinctly favorable to the flourishing of sexual abnormality.

It needs to be said, too, that many prison inmates have been tarred with sexual depravity even before they come to prison. In juvenile institutions, reformatories, protectories, and other places, even in their home environment, they have been corrupted, not only by their fellow inmates, but by citizens in the free world, and even by certain officials who are paid by the State to act as their mentors and guardians. For homosexuality is certainly not an activity which is restricted to the prison community.

Granted, then, that the prison environment is generally favorable to sexual abnormality, and granted that there come to prison certain individuals already

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tainted and thus likely to taint their fellow prisoners, let us consider very briefly the specific ways in which the thing works out in practice.

There is, to begin with, the fact that the prisoner is almost completely deprived of contact with women. Except for monthly visits, he rarely sees a woman; and he certainly does not have the chance, once in a dozen years, of obtaining sexual intercourse with a woman. This almost complete lack of the female in the prison world has a very debasing effect. Woman is, speaking generally, the civilizing, the refining, the cleansing agent of the community. Deprived of contact with her, the prisoner inevitably becomes coarsened, ill-mannered, lowered in any number of ways. But the most far-reaching effect of this absence of woman from the scheme of things is the sexual starvation from which all prisoners suffer in varying degrees of intensity.

Symptomatic of this condition is the inevitable trend toward matters of sex in the conversations of prisoners in shop and yard. No matter on what high level it begins, it invariably ends in risque anecdotes, bragging stories of sexual adventures in former days, intendedly humorous quips about sodomy, oral copulation and masturbation, in which the very quintessence of wit is taken to consist in accusations of sexual depravity. The oral copulators are variously referred to as “muzzlers”, “fairies”, “fags”, “pansies”, and the like; the passive participants in sodomy are called “punks”, “gonsils”, “mustard pots”, or even more

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direct physical terms are used. These two types of homosexuality are generally held in a species of good-humored contempt. The active participants, on the other hand, who are known as "wolves", "jockers", "daddies", etc., are generally looked upon with comparative respect, chiefly because their behavior is essentially male; and also because these "wolves" are usually rough-necks; and the tougher you are in prison the more you are held in respect by the average prisoner. The frequent recurrence of these countless quips and anecdotes based upon sexual depravity indicate to what a great extent the mind of the prisoner is obsessed with sexual matters. For men do not talk and joke so frequently or so interestedly about a particular matter unless it is very much on their minds. That sexual matters do preoccupy the minds of prisoners may perhaps best be indicated by the remarkable fact that, in twelve years of imprisonment, I think no day ever passed in which I did not listen, countless times, to jokes and conversations of this type.

A paragraph of these wisecracks would portray the state of mind of the prisoner better than a dozen pages of roundabout exposition; but even in these days of free sexual exposition there would follow an avalanche of censorship. So I can only say that when a man comes to the shop in the morning looking as if he had had a bad night, sotto-voce quips in racy terms inform him that he ought to give up masturbation. . . . The hunger for Woman is expressed in the most

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extravagant terms; her bodily parts are referred to in phrases pregnant with sadistic longing. Never, not even among the English ‘‘Tommys’’ during the War, have I heard the pungent four-letter words of sex used with such zest as in the prison. And when a man is seen giving a fellow convict some candy or a package of cigarettes, it is considered humor of the highest order to ask, ‘‘Is he your ‘boy’?’’ or ‘‘You must be sleeping with him!’’

This constant preoccupation with sexual matters, which is one of the inescapable results of sexual hunger, is an important factor in the prison environment, as will be seen. When the newly admitted, constitutionally homosexual prisoner finds that he is not looked upon with the degree of loathing and suspicion with which he is looked upon in the free community, and when he realizes that here, in a world of men without women, is a fertile field for his abnormal activities, he naturally avails himself of his opportunities and thus not only satisfies his own abnormal desires, but also becomes a major factor in bringing out and strengthening the latent homosexual tendencies of his new associates. And the more constitutional or environmentally created homosexuals who come to prison, the worse it is for the sexual well-being of the other inmates; for it is infinitely easier for such men to find willing collaborators in their vices than it is for the ‘‘wolves’’ to seduce the otherwise normal young prisoners. These ‘‘fairies’’ and ‘‘gonsils’’, moreover, are responsible for a great deal of the ribald jok-

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ing about sexual affairs among inmates. Being as they are for the most part brazenly effeminate in their actions and mannerisms, they are the never-failing butts of the jokers; and since many of them become perfect imitations of the female "gold-digger", they naturally come in for a vast amount of the badinage and wise-cracking current among pimps and whores in the outside world.

There is one other important factor which makes the prison environment so favorable to sexual depravity. This results from the fact that convicted criminals are, of all persons, the ones least likely to have exercised much control of their sexual appetites in the years before they came to prison. Years of self-indulgence certainly do not build up in the prisoner those powers of self-control and resistance which would be so valuable to him during his prison life.

So much, at present, for this phase of the subject. Let us now see how, in a few specific instances, the environment acts upon the individual prisoner.

Let us take the case of a man whom we will call Barton. I first met Barton in the Lyman School for Boys, when we were both about fourteen years old. At that time, Barton was a pretty rough, tough boy. He was repeatedly running away, getting into scrapes, spending most of his time in the disciplinary cottage and getting what we called "slugged" (that is, whipped on the bare buttocks, with a piece of rubber hose, by a very strong official). Barton and I ran away twice together, were caught, spent several months in

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the disciplinary cottage, and thus became pretty good friends. At this time Barton was a perfectly normal boy, sexually. Of this I am as certain as I am that to-day is Wednesday (in Massachusetts). . . . About ten years later I met Barton in the State Prison at Charlestown, Massachusetts, where he was serving a long term (ten to fifteen years) for robbery. He remembered me and soon we were again the most intimate of friends. Well, as I began to see more and more of Barton in the shop and in the yard, I noticed a vast difference in him. He was certainly not the Barton I had known as a boy. Gone was the rowdyish toughness, the coarse language, the rebellious spirit. No longer was he the eternal trouble-maker who spent most of his time being punished. He had become a very well-behaved, gentle, almost effeminate creature. Soon I began to suspect that something was wrong. Eventually, bit by bit, through a remembered gesture or bit of conversation, and at length by direct questioning, I learned the truth about Barton. It developed that Barton, during the third year of his imprisonment, had gone homosexual. He tried to tell me how it happened. Deprived as he was of female companionship, he had unconsciously begun to center his affections in a young lad of nineteen who worked near him in the shoe shop. At first they had been merely good friends; later they had become inseparable pals; at last Barton discovered, much to his surprise and dismay, that he was thinking of his pal in exactly the same way in which formerly he had

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thought about the girl with whom he happened to be in love. One day he happened to see his friend naked in the shower room and thereafter he was to all intents and purposes "in love" with him. The younger man became the object about which revolved all his sexual fantasies and he definitely longed for sexual contact with him — although he had no idea as to what form the contact would take. Hitherto, in the masturbations in which Barton (like most prisoners) had indulged, he had always concentrated on the remembered vision of some girl with whom he had slept before he came to prison. Heretofore his cravings had always been for normal sexual intercourse. Now, however, he yearned constantly for sexual intimacy, in whatever form it might take, with his young friend.

Barton was pathetically eager to make me understand that his decline into homosexuality was totally unpremeditated. It was simply, it seemed to me, the result of the action of the environment upon his inherent tendencies. The shock of discovering that he had become homosexual completely changed his whole character. He gradually developed an intense feeling of inferiority. And although he managed to conceal the change from all but his most intimate friends, it hurt him in a hundred irreparable ways. He lost his very self-confidence, which had always been one of his most pronounced traits. For, unlike the constitutional homosexual, the environmentally created one is usually unable to escape from the

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stigma which he feels attaches to abnormal behavior in the minds of decent people and suffers considerably from the fear that his associates may learn the truth about him. . . . During several years, after his first friend had gone out, Barton celled with six or eight other inmates for longer or shorter periods. He told me that most of them, even those who professed to entertain the most violent prejudices towards homosexuality, eventually participated with him in some form of abnormal sexual activity. Thus, Barton, having himself gone homosexual, was instrumental in leading other men down the same dark road. From conversations with Barton and many other men I knew, who lived in the cell block where two men could cell together, I learned that sexual abnormalities were anything but uncommon there. And from my observations of life in the army and navy, in juvenile institutions, in the Naval Prison, I realized how this must almost infallibly be true. . . . Barton was still in the prison when I was released and had become so thoroughly steeped in homosexuality that I doubt if he will ever go back to normal sexual intercourse. A bit of wreckage from the sea of crime, he will be washed up on the shores of some community whose waters he will help to pollute.

Let us next take the case of a man named Baker. When he came to the State Prison he was already a homosexual. Whether or not the officials knew this at the time of his admission, I do not know; but within a few days of his arrival they must have been deaf,

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dumb and blind not to have become aware of the fact. Baker was the most brazenly active homosexual I have ever seen. In the shop, in the shower room, in obscure corners of the yard, wherever there was the faintest chance to indulge, Baker eagerly availed himself of it. In the clothing shop, where he worked, he made assignations in the toilet with any and all inmates who cared to accept them. He took on all comers, without regard to color or creed. I am convinced that, so brazen was he, he would willingly have given an exhibition in the prison chapel, could he have obtained permission to do so. Yet, in spite of his notorious behavior, what did the prison authorities do? Did they transfer him to some institution for the care of abnormal persons? They did not. He was simply a joke to most of them, just as he was to most of the prisoners. If they caught him *in flagrante dilecto*, he was sent to the "block" for a few days of bread and water (which is exactly the same punishment which is meted out for smoking after hours and other minor offenses). Meanwhile Baker kept on with his abnormal behavior, very harmfully influencing the lives of the other inmates. As a result of his bad record in prison, however, he was made to serve the full maximum of his term, which was five years. Toward the end of his term — but more because of insolence to officers than because of his homosexual activities — he was kept under fairly close guard most of the time. . . . Now before and during his term in the State Prison, Baker, although a homosexual, had

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never been viciously inclined. But within a few months after his release, and almost as if he had gone out of prison with the sole purpose of securing some insane form of revenge, he committed two of the most vicious sexual crimes ever committed in the state. . . . For these crimes he was sent back to Charlestown with a long sentence. And even now, in spite of all this knowledge about the man's state of mind, he has not been transferred to an insane asylum, although he is serving his present sentence in solitary confinement.

Baker's case shows to what monstrosities of conduct even the constitutional homosexual may be driven by sexual starvation and its after effects. It is, of course, an extreme case — but chiefly so in that Baker's post-prison activities resulted in the death of his victims. More than one ex-convict has been driven to rape when in the free community he found it impossible to secure sexual gratification quickly enough in legal ways. But let us take a case which, like Barton's is more typical of the prison homosexualist. Take the case of a man named Dreegan, who is still serving time in Auburn Prison (New York). During my time there, Dreegan was the outstanding example of the prison "wolf." Now the "wolf" (active sodomist), as I have hinted before, is not considered by the average inmate to be "queer" in the sense that the oral copulist, male or female, is so considered. While his conduct is felt to be in some measure depraved, it is conduct which many a prisoner knows

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that he himself might resort to under certain special conditions (that is, if the average prisoner can find a good-looking boy, and the opportunity, and is sufficiently "hard up" for sexual satisfaction, he will not usually disdain to make use of him for purposes of relief). Aside from masturbation, which likewise is not considered "queer" conduct, active homosexuality is the form of sexual abnormality which meets with the least disapproval from the average prisoner, and the form he is most likely to resort to himself whenever he feels hard-pressed enough. Dreegan, then, was the champion "wolf" of Auburn Prison. Except that the object of his affections was a boy instead of a girl, his behavior was exactly like that of a normal free man toward a woman. Now, whereas most "wolves" have the grace to be more or less discreet in their activity, Dreegan was quite frankly what he was. He went boldly after any young and good-looking inmate whom it was his desire to seduce. That he got a punch in the eye for his pains every so often, and was more than once knifed by boys defending themselves from his vigorous assaults did not disturb Dreegan for very long. He outrageously flattered the objects of his lust; he gave them cigarettes, candy, money, or whatever else he possessed which might serve to break down their powers of resistance; and otherwise "courted" them exactly as a normal man "courts" a woman. Once the boy had been seduced, if he proved satisfactory, Dreegan would go the whole hog, like a Wall Street broker with a Broadway chorus-girl

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mistress, and squander all of his possessions on the boy of the moment. In this Dreegan was different from the average “wolf” only in the brazen directness of his conduct. Most prison “wolves” are afraid of becoming known as “suckers” — a term of great opprobrium among men who pride themselves on their fancied sophistication and on their ability to fleece “suckers.” Like most “wolves” too, Dreegan was polygamous. No boy could keep up his interest for very long. One very dangerous possible effect of activities like Dreegan’s occurs to me as I remember an incident which happened in Auburn. A young boy came down from the hospital one afternoon and wandered into a room where six or eight other inmates were smoking and talking. He was known to be a “gonsil.” Several of those present, including Dreegan, had had connections with him. They asked him, half banteringly, where he had been, hinting that he had probably been out getting “stayed with” somewhere. He said, “No, I just came from the hospital,” and after a pause, “What does four-plus mean, anyhow?” As may be imagined, those present stared at him, too horrified to speak. Could it be that this innocent-looking boy with whom they had had contacts was a syphilitic? It turned out that he was; and of course he was let severely alone after that. Meanwhile, Dreegan remains in Auburn Prison, where he is serving two consecutive and very long terms. He is known by most inmates, and also by most officials, to be a “wolf” — but there is very little likelihood

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that he will be isolated or transferred to another institution.

The constitutional homosexual of the "fairy" type is not a rare bird in prison. In three prisons where I have served time, there have been anywhere from a dozen to a hundred of the brazen type, who were generally known in their true characters. How many there were of the discreet, "under-cover" type, it is of course impossible to know. Needless to say, wherever they are to be found, they constitute a very grave menace to the morale of the prison. There are, too, other types of sexually abnormal behavior, such as exhibitionism, and the like. These, however, since they are very well understood, and after all are of minor consequence in the present discussion, we need not pause to investigate here.

Having shown, however, briefly and summarily, that because of (a) lack of self-control and years of self-indulgence in the pre-prison years on the part of the convict, and (b) because of the presence within the prison of constitutional and environmentally created homosexuals who spread their virus among the other inmates, and (c) because herd opinion and behavior within the prison are distinctly favorable to unsocial opinion and behavior in general, and (d) because, finally, the prisoners all suffer in varying degrees of intensity from sexual starvation — having shown, in a word, that the prison environment is distinctly favorable to the rise and growth of sexual abnormalities among the prisoners — let us ascertain,

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if we can, the extent to which these things affect the lives of the prisoners after their release from prison, and thus also affect the welfare of the social organism as a whole.

It may be said, without mentioning specific names and cases, that this depends largely upon the individual ex-prisoner and upon the type of environment in which he finds himself after coming out of prison. In the case of men who have served only one term (not longer, say, than five years), and whose only sexual vice in prison has been occasional masturbation, an eventual readjustment will be successfully made. For a time, perhaps forever, depending greatly upon his post-prison sexual experiences, the average ex-prisoner will be extremely sex-conscious (or “girl-crazy,” as it is commonly called). The “gonsil” is a far more difficult problem. He is never a strong character and is very often feeble-minded. Moreover, having been pampered and spoiled by the prison “wolves” until he has developed most of the predatory instincts of the hard-boiled female prostitute, he is likely to come out of prison feeling that the world owes him a living. And as he is usually a pretty lazy, ambitionless fellow, he generally heads for the nearest large city and looks about in an effort to find some ex-convict “wolf” who will “keep” him, or at the worst help him to sustain himself. Failing this, he will drift about until he establishes contact with other homosexuals, occasionally resorting to the sneaky types of crime which require very little brain work or

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courage. Thus spreading his depraved habits among persons he meets, and it may be, infecting them at the same time with the diseases he may have contracted himself, he constitutes a grave menace to the community which harbors him.

In a way it is to be expected that the sexual vices contracted in prison are not to be easily nor quickly stamped out. The ex-convict, much as society may pride itself on its present state of enlightenment, cannot escape from the stigma which still goes with his title. Unless he returns to his former haunts and friends (if these still exist), the ex-prisoner is sure to feel very much out of place, at first, in no matter what surroundings he finds himself. The sudden change from imprisonment to liberty, for which he has waited for so long, has a very heady effect. The man is bound to feel very much like a squirrel newly out of a cage — and to be inclined to act like one too. This makes for great mental and emotional tenseness. He is, on the other hand, very conscious of being (because of his imprisonment) different from his fellow men, and extremely aware of a sense of inner coarseness which results from the long contact with a coarse environment and consciousness of his own lapses into sexual abnormality. As the natural effect of such a state of mind, he feels very much the outcast. Feeling this way he finds it very awkward, no matter how intensely he longs for normal sexual intercourse, to approach a woman. He feels that he is older, less presentable than he was before he went to

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prison; that he is “dated”; that he has not the current “line”, the latest dance steps, the current small talk about events and people, which used to be so helpful in the old days; that he is, therefore, infinitely less attractive to women. Thus arises a diffidence, a lack of self-confidence, which makes it excessively difficult for the ex-prisoner to go about getting sexual satisfaction in the normal, legal or semi-legal ways. And so he is extremely likely, under very unfavorable conditions, to fall back upon his prison vices, or even to go in for rape.

I know several men who resorted to homosexuality for relief while in prison, but successfully made the readjustment to normal sexual intercourse when they were released. I know others who became absolute satyrs and went in for perverted sexual conduct with women after their release. This tendency toward satyriasis, which is very common among imprisoned men, is one of the worst results of sexual starvation. As one man said to me, “I don’t give a damn who knows it — that is, among friends — because I don’t see where I’m to blame. . . . It certainly isn’t my fault. . . . I simply can’t help myself. Keep a man hungry and thirsty long enough, and it’s a miracle if he doesn’t fairly strangle himself trying to tuck away food and water the first time he gets a chance. Well I’m the same way about women. I suppose it’s a form of madness — but there it is, and I can’t help it. The minute I get near a woman, any woman, all I think about is whether or not I could possibly

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"make" her, and when I get a woman, I have to hang on to myself for dear life. I simply go insane with rapture, and have to be almost thrown out the next morning, so hard is it to leave of my own accord. It seems as if I'll never get caught up on it; as if each woman I manage to get may be the last; and so I'm like a starved cat with a piece of fish — I'm simply not human!" Something like this, in greater or less degree, is the effect upon nearly every inmate of sexual hunger.

There is another result of, not necessarily abnormal sexual behavior, but of contact with it, which has a dangerous effect upon the prisoner during and after the prison years. Take the case of the young man who comes to prison for the first time. Although he has consorted with thieves and underworld characters outside the walls, he is comparatively ignorant of abnormal sexual conditions. Even if he is not particularly attractive, his mere youth is enough to interest the prison "wolves" and other perverts. He is immediately besieged by a barrage of unwelcome and exceedingly embarrassing attentions. The more he resists (and he naturally resists, being a sexually normal young man), the more they go after him. The other inmates, even the sexually normal ones, with the depraved humor characteristic of prison life, take a brutal delight in taunting, accusing, laughing at, and otherwise ridiculing him. As a result of this treatment, unless he has an unusually strong character, the inexperienced young prisoner is almost certain to

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develop any number of inhibitions and complexes which may, and usually do, greatly hamper him in his future life. The effect of it is very like what the effect might be on a young girl thrown suddenly in among a crowd of hard-boiled whores. And the effects and after-effects of years of this sort of thing can hardly fail to be tragic.

There are other ways, not capable of indication, in which the sexual hunger is appeased. The ingenuity of imprisoned men in making cynical, satirical, truly obscene substitutes for woman, is truly incredible.

This, then, is one of the most harmful effects of prison life, this sexual starvation. How it is to be eliminated from the prison environment I do not know, since in the present state of public enlightenment it is unlikely that the prisoner will ever be given a chance to live anything like a normal sexual life.

The prisoner's attitude toward woman is all important to the discussion. His attitude, not merely toward woman as the normal means of sexual satisfaction, but woman as the ideal; as the central figure in the man's dream of a home, social position, and perfect companionship throughout life. It may be said that in this respect the average prisoner is very much like his fellow man in the free world; that is, this man feels one way about it, and that man another. To one prisoner, woman is a mere slut, a periodical bodily necessity, like food or water; to another, the thought of woman is that of the prison

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Rather does he think of woman the appeaser of desire, woman the vessel of joy, woman the natural mate of man. Nor is it merely of the bodily contact that he thinks, avidly as he does look forward to that. Woman is the symbol, as well, of the happiness for which he longs and expects to achieve largely through her. . . . Thus she becomes woman the divinity to be worshipped:

"A crystal chalice full of ruby wine
And stricken through with sunlight could not be
More wonderfully radiant than she,
Nor with such luminous enchantment shine."

This is woman as the prisoners hunger for her in the lonely watches of the night, when sleep will not come, when the pangs of sexual starvation drive them to deeds for which they feel the need of blushing in the cold, accusing light of morning. Then it is that they most sharply feel the nameless yearnings of unmated animals; then it is that they are most likely to know the fearfulness of being men without women. . . .

In the way of suggesting remedies for these injurious features of the prison environment, I am afraid that I have very little to offer. One thing is certain; known homosexuals must be weeded out and segregated. Men must be given the recreation (preferably good physical exercise to be followed by bathing) and entertainment with which to make the present attractive enough so that there will be less need of

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escape-mechanisms like daydreams and “prison stupor.” In certain parts of the world, or so I have read,¹ after the prisoner has served a certain number of years, he is permitted to colonize in a guarded area where he may live a normal sexual life (as in Salvador, and, I believe, the Bilibid Prison Colony). I earnestly recommend this as, on the whole, the best remedy for sexually abnormal conditions and behavior in American prisons. In the meantime, only a very intelligent warden who is sufficiently a real person to win the complete confidence of the inmates, can make any headway against present conditions. For in the long run, the prisoners themselves are the only ones who can work out the solution of the problem. There is very little likelihood of their doing so at the present time, however, thanks to the type of warden and guard which predominates in our prisons. There is, therefore, very little probability that in the immediate future very much will be done, or even attempted, to improve conditions which, in nine cases out of ten, the prison officials will refuse to admit even exist.

¹ See the *Midmonthly Survey*, issue of May 15, 1932, for editorial comment on improved conditions, in this respect, in the prisons of Salvador.

Chapter VII

Drugs and the Criminal

ON no subject with which I am familiar have I read so much sheer drivel as on the subject of drugs and drug addiction, especially among criminals. In magazines, newspapers and novels I have read stories, often written by fairly reputable authors, which revealed so much prejudice and so little knowledge of the true facts as to be nothing more than burlesques. I have also read articles written by Federal narcotic agents and other "experts" which were so thoroughly crammed full of pure ignorance and downright nonsense that they aroused the unstinted hilarity and scorn of experienced drug-users to whom I showed them. This is only what is to be expected, of course, when specialists try to express authoritative opinions on subjects which lie beyond their special fields of knowledge and experience. For the writer, as such, is a specialist only in the art of writing; and the narcotic agent, as such, is a specialist only in tracing the shipment, distribution, possession, sale and use of habit-forming drugs, and in locating and apprehending

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violators of the narcotic laws. Without special medical knowledge, or personal experience in using drugs, neither the writer nor the narcotic agent is any better qualified to express an authoritative opinion about drugs and the psychology of drug addicts than I am to write a dissertation on the anatomical peculiarities of the centipede. It is this kind of "expert", nevertheless, who is responsible for most of the prejudices and fallacies about drugs and drug addiction which now exist in the popular mind.

After this somewhat snooty beginning, it is perhaps best to insist, here and now, that I do not pretend to be an expert on drugs or drug addiction. There are various drugs which I have never tried. There are various types of addict which I have never run across. I have, however, experimented with habit-forming drugs since I was eighteen years old (I am now thirty-four), and only three years ago I was so firmly addicted to the use of morphia that I seriously jeopardized my health and sanity and suffered tortures which I can never hope to describe, before I was able to fight my way back to drugless living. I have, moreover, spent most of the past twelve years in prisons and other places of detention. Since, therefore, I plan to discuss only drug addiction among criminals, and mean to confine myself exclusively to those phases of the subject which I have either experienced myself or seen with my own eyes, I believe that what little I do have to say ought to carry some authority. It will, at any rate, have the merit of being true.

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Let me begin, then, by examining some of the fallacies which the "experts" have already established in the minds of the general reader. One of these is to the effect that the drug addict is in most cases a criminal, and that the criminal is in most cases a drug addict.

Now this statement is more than merely untrue. It is the most mischievous kind of untruth; for it contains just enough semblance of truth to make it generally acceptable to the average reader. The actual truth is that the genuine drug addict is very rarely a true criminal and that the true criminal is only incidentally a drug user.

Since this statement is so greatly at variance with what is commonly thought to be the truth, let me explain just what I mean. All persons who violate the laws of a community are criminals, of course, since the word "criminal" means, essentially, "law breaker." In that strict interpretation of the thing, all violators of the prohibition laws, all breakers of the automobile laws, and all who break any law of any kind, are also criminals. To the extent, then, that all these persons are criminals, the drug user is also a criminal. But — no more so than the others. No one but a very conventional-minded person thinks of the violators of prohibition and automobile laws as criminals; and only the ignorant notion that the use of habit-forming drugs indicates inherent depravity in the user makes the average person think of the drug user as such.

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My experience and observation tell me that the genuine drug addict, as distinct from the occasional user of drugs or the well-to-do addict,¹ is a person whose whole life revolves about the drug to which he is addicted. He is not, like the addict of means, a person who leads a normal, law-abiding life, using drugs in place of alcoholic or other stimulants; nor is he like the occasional drug user who goes on a periodic drug spree; he differs from these types in that he is essentially the merchant. He buys drugs and sells them for a profit by means of which he supports his own drug habit. His is a vicious circle of irrational activity; for he sells drugs in order to sustain life, and then uses drugs in order to escape from life. There is, however, nothing essentially criminal about his activity. True crime consists in theft, rape, murder, arson, and the like; in ruthless violation of the personal, property and sexual rights of other persons, and not in mere violations of local (and not necessarily morally sound) statutes and regulations. Because, then, the true drug addict is essentially a mere vendor of prohibited merchandise (like the bootlegger), and not, like the murderer, the raper, or the thief, a true criminal, I say that *the true drug addict is only incidentally a criminal*.

It is true, at the same time, that the drug addict sometimes resorts to true crime. There are times

¹ In this connection see a very good article, "The Real Narcotic Addict," in the January, 1932, issue of *The American Mercury*, by Fishman and Perlman.

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when, because of unusual activity on the part of narcotic agents, he does not dare to ply his usual trade. At such times he is likely, temporarily, to commit the pettier types of crime in order to get the money with which to support his drug habit. Even at such times, however, he rarely goes in for crimes like murder, robbery, or rape. There is a very good reason why he abstains from these serious crimes. As the true drug addict's whole life revolves about some drug, he cannot bear to be without it. It is not only inconvenient but highly expensive to support a prolonged drug habit in prison. So the drug addict, when he does go in for crime, goes in usually for such crimes as sneak-thievery, pimping, shop-lifting, and various similar crimes. When convicted of those he can be pretty sure to get nothing worse than a few months in some city or county jail, where drugs are usually plentiful and inexpensive. This criminal activity, however, is only incidental, and so does not give a true indication of the actual truth about the genuine addict and his pursuits. In the main, it will be found that he is only occasionally and incidentally a criminal.

So much, just now, for the typical drug addict. Let us now consider the other half of my statement; that *the criminal is only incidentally a drug addict*. In the first place, since otherwise law-abiding members of the free community also use drugs, it cannot be said that the use of drugs is an essential part of crimi-

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nality. It is as true of the criminal as it is true of the law-abiding citizen, that the persons who go in for the use of habit-forming drugs are usually those who are improperly adjusted to their environments. It is the mentally, physically, emotionally maladjusted individual, the individual who seeks escape from the harsh realities of life, who goes in most assiduously for the use of drugs. This means that only to the extent that he is more maladjusted to his environment is the criminal more likely than the law-abiding citizen to resort to drugs.

A great deal of the misapprehension which exists on this score is due to the writers of tabloid and the cheaper grades of detective fiction. From the fact that an occasional spectacular criminal is ascertained to be a drug addict, and the fact that some cocaine-crazed addict occasionally commits a particularly vicious crime, they jump to the conclusion that all drug addicts are criminals, and that drug addiction is typical of the average criminal. Then they proceed to increase the circulation of their particular periodical by writing stories and articles based upon their misapprehension of the true facts. From their sensational writings, and their inclination to generalize about "cokies" and "dope fiends", a great many prejudices and fallacies arise and become an integral part of public opinion. They made no distinction between criminal and non-criminal addicts, nor between the users of cocaine and the users of morphia, as if all

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addicts were of the same type, and all drugs produced the same effect, when, as a matter of fact, nothing could be farther from the truth.

It may be said, in general, that the average criminal addict uses the same drugs in prison that he uses in the free world. Let us, therefore, study the imprisoned drug addict, and try to get at the truth about him. It needs to be pointed out that the genuine drug addict (the merchant as distinct from the occasional user) very rarely comes to State Prison. For the incidental crimes he commits he generally goes to city or county institutions; and for his violations of the narcotic laws he generally goes to a federal penitentiary. It also needs to be pointed out that when the average criminal comes to prison, he is only in about twelve or fifteen cases out of a hundred a user of drugs. Since, however, his term is usually a very long one (sometimes for life), and since he is by nature a very self-indulgent person, he often seeks to escape from the harshness of his circumstances and surroundings through drugs. There are always old-timers to teach him the ropes and there are always drugs to be had, for a price. In this, however, he is not typically the drug addict, but typically the maladjusted person seeking to escape from life. He becomes what is called a "prison junker," and is not considered by the true addict to be the real thing. He generally hates and despises and fears the drug, even as he uses it, and considers the drug seller the lowest and most depraved of God's creatures. I have frequently heard

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"prison junkers" say, "I may be a thief, and I may use 'junk', but by Jesus I'd cut off my two hands before I'd sell the god-damned stuff!" He usually looks upon the drug as a dangerous remedy for a dangerous disease; as a necessary evil; as a species of counter-poison; and not, like the true addict, as the be-all and end-all of life. For although he enjoys the temporary delusion of contentment which the drug produces in him, he hates and fears the hideous after-effects; and above all, he dreads the thought that in the end he may become so helplessly enslaved by the drug that he will have to keep on to the bitter end, and perhaps wind up as one of the very drug sellers whom he so heartily loathes. He has not, like the true drug addict, resigned himself to the idea that "once you're 'hooked' — once the drug really gets into your blood — you're 'hooked' for life"; so he uses it sparingly, at first, and periodically breaks his habit simply to prove to himself that he can and is thus not a slave to the drug; and in general gives up only very gradually, after years of resistance, to its uncontrolled, devitalizing dominion. And even then he is rarely the seller, but the user; not the devotee, but the victim. He becomes that most hard-pressed of criminals, the man who is obliged to steal in order to support his drug habit.

It must be remembered, too, that the average prisoner is usually a poverty-stricken fellow and thus financially unable to support a prison habit. For drugs generally cost about four times as much in a state prison as they do in the free world or even in the

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county jails. So that the average criminal is far more likely to become merely a "joy-rider" (a man who takes a "shot" or two to tide him over dreary week-ends in the cell, as he might in the free world take a quart of whisky), and not a genuine drug addict.

The question inevitably arises: To what extent do criminals go in for the use of drugs? And as is the case in most matters which are of real importance to the penologist, no reliable statistics are available. There are, it is true; certain prisoners who are listed "D. A." on the prison books. But for every "D. A." (drug addict) who is listed, there are several who are unlisted. Here, however, I am able to make a pretty accurate estimate. Every drug user in prison generally makes the acquaintance of the other drug users. For there are usually only two or three "connections" (or sources of supply), and because of this, and the general closeness of prison associations, an observant prisoner eventually gets to know the other prisoners who share his taste for drugs. Even now, after several years, I could almost write out from memory a list of the men in a certain prison who use drugs. And as there were about one hundred and twenty of them (to my certain knowledge) in a population of nine hundred inmates, it is a pretty safe guess that the percentage of drug addiction was approximately twelve per cent and not more than fifteen per cent.

How far this percentage would hold good of the average American prison¹ is another matter. Still,

¹ Fishman and Perlman say that ten per cent of the men sent

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seeing that certain States with one or more big cities would certainly show a higher percentage, while the more sparsely populated States would certainly show a lower, it may be taken, I think, that from twelve to fifteen per cent of all prisoners are addicted to the use of habit-forming drugs. Whether or not the same figures would hold good of drug addiction among criminals in the free world, I very frankly do not know; but from a tolerably extensive acquaintance among criminals, and no little knowledge of existing conditions, I should be inclined to set the figures at about twelve per cent.

Another favorite dogma among the fictioneers is that all, or at least many, gangsters and gunmen are drug addicts—that they are cowardly, cocaine-crazed killers. This is easily the most absurd of the many fallacies which they have established. It is likewise the most easily refuted. It is based upon two assumptions; first, that cocaine is a highly inflammable drug, making its users temporarily insane; second, that because some spectacular killer is discovered to be a cocaine addict, all gunmen and killers are cocaine addicts. The gangster-gunman is thus portrayed as a cowardly, sneaky, drug-crazed killer who in his normal condition has not the courage of a rabbit. Many writers of current fiction have deliberately pandered to the prevailing trend of public opinion by subscribing to this dogma. Some of them

annually to Welfare Island (N. Y.) were *known* drug users. See *American Mercury*, *op. cit.*

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are excusable on the ground of general ignorance of their subject matter; but certainly not a certain momentarily popular author who owes his success largely on material supplied him by the very gangsters whom he now so glibly abuses. For he must know better. One single atom of truth is enough to explode this myth, and here it is: *Most criminals who use drugs do not use cocaine!* At first glance this may seem of trifling importance; but a closer scrutiny will prove this fact to be of vital importance to the issue. It is well known that cocaine is very dangerous in its effects and that its continuous and prolonged use results in hallucinations and other forms of temporary insanity. It is also tolerably well known that the effects of cocaine are remarkably conspicuous. In fiction, on stage and screen, we have all seen the "dope fiend" (who is really the cocaine sniffer) with his itchy nose, jerky movements, and general air of furtiveness. He is so well known, in fact, that most people believe that all drug addicts are like that, and that all drugs produce the same symptoms and effects. This, of course, is pure nonsense. It is, however, this very conspicuousness of the effects of cocaine which makes the average criminal shun it as he would the plague. It is true that an occasional criminal is an addict of cocaine; it is also true that when the other drugs are temporarily unobtainable, the criminal drug user will seek temporary relief in cocaine; but in the main it may be said that the average criminal drug user is as likely to be a cocaine addict as he is likely to

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be a mural by Ribera. He knows that its effects make him conspicuous and thus easily detectable; and that it makes him too reckless and generally irresponsible to function properly; and for these reasons alone he would as soon leave his finger-prints at the scene of a crime as to be seen under the influence of cocaine.

But this is only one side of the issue — and not even the more important one. The more important matter — which leaves the fictioneers with hardly a leg to stand on, is that *the gangster is, of all criminals, the one least likely to go in for the use of habit-forming drugs*. Consider the evidence! Although it is as unsafe to generalize about the gangster as it is about the clergyman or the prostitute, or any other particular group or type, one general statement may safely be made. The gangster is certainly the criminal who is most perfectly adjusted to his environment. His environment is the slums, the underworld, where ruthlessness and physical bravery are the qualities which count; and these qualities the gangster possesses to an astonishing degree. He is generally a man of very strong character and is very often a sheer megalomaniac. His lust is for the power of life and death, wealth and political "pull", and for the respect, admiration and fear of other gangsters. These he usually obtains through sheer ruthlessness and physical courage. He is entirely sufficient unto himself and certainly is not in need of drugs to help him in his struggle for prestige and leadership among his kind. And since the person most likely to go in for drugs is the

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person with a distinct feeling of his own physical, mental, or emotional inferiority, it is obvious that the gangster is the least likely of all persons to resort to drugs.

This is not the place for a detailed discussion of the gangster and of his activities. But since the foregoing remarks may need a word of amplification, I may add that I spent three and one-half years in Auburn Prison, where I numbered among my friends and acquaintances well-known gangsters like Owen Madden, William Duffy, Terry Reilly, "Bum" Rodgers, and hundreds of lesser heroes of the underworld. I was in daily contact with them in prison, and I have associated with them even in the free world, and have thus had plenty of time and opportunity to study them. Now among the hundreds of gangsters whom I have known, *I have never known a single one who was a cocaine addict!* I have known several who, while serving long prison terms, became "prison junkers", but I have rarely met a gangster who used cocaine or had anything but contempt for the man who did. It is not my purpose to glorify the gangster, but truth is the truth; and although I dislike many of the gangsters' traits, and deplore his antisocial activities, I must say that of all types of criminal I like the gangster the best and heartily admire his courage and loyalty to his kind.

The root of the whole fallacy about the gangster and cocaine is to be found in the many imitation gangsters who are appearing in increasing numbers

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upon the current scene. Let me try to describe this type of criminal. He is usually a man with a strong inferiority complex. He longs for the adulation of his associates, who are chiefly girl and "sheik" habitues of dance halls. He reads about the exploits of real gunmen and notices the stir they create in the press and among the dance-hall girls. He sniffs himself crazy with cocaine, goes out and commits some senseless but vicious crime, and believes that at last he has "arrived." He has. He has also given the shoddier fictioneers another chance to cry out about the viciousness of the drug-using gangster.

What, I have been asked, is the effect of drug addiction upon the criminal? This question inevitably leads to a discussion of another favorite fallacy advanced by reporters and fictioneers; the dogma that the drug addict will sacrifice his own mother for a "shot" when he needs it badly enough. In general it may be very bromidically said that the criminal is, after all, a human being, and that the drugs have the same effect upon him that they have upon law-abiding addicts. A particular effect of the drug upon the criminal, however, is that the expense of supporting his habit makes it necessary for him to increase his activity. He is thus forced by the drug to commit more crimes than he would ordinarily feel obliged to commit. As for the dogma that he will sacrifice anything on earth for the "shot" when he is badly in need of it, I can only say this. The use of drugs is very injurious to the physical and mental strength of the

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user and naturally does not tend to increase his moral strength. But that it will sap a man's principles of conduct to the point where he will sacrifice the reputation of a friend, or hurt his own mother, is an utterly false notion. I have known of addicts who went through the most unbearable anguish rather than do these very things. From a great deal of personal experience and observation of the effects of drugs, I say that the use of drugs does not essentially change the real character of the user. I have seen any number of addicts refuse to sacrifice even their own vanity, or self-respect, for a "shot", when they needed it very badly; and I am sure that if they could pass up a "shot" out of mere vanity, they could certainly do so if something really important were at stake. My belief is that the idea of the moral disintegration which is erroneously supposed to be due to the effects of drugs is due to an entirely different thing. The fact is, that only essentially weak individuals go in for drugs; and that the sacrifices they make in order to obtain drugs when they are hard up are due to weakness which is inherent in the user and not caused by use of the drug. In any circumstances such a man would be weak and consequently likely to go to pieces in time of stress. My idea is that while the effects of habit-forming drugs are anything but beneficent, they are not nearly so bad as they are supposed by most people to be; and that the essential character of the criminal is not greatly altered by their use.

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So far I have tried to indicate my belief that (a) the drug addict is very rarely a true criminal, and that the criminal is rarely a genuine drug addict; (b) that only to the extent that he is more badly adjusted to life is the criminal more likely than the law-abiding citizen to go in for drugs; (c) that only about twelve or fifteen per cent of criminals go in for drugs, either in prison or in the free world; (d) that even when they do they are not genuine addicts but merely "prison junkers"; (e) that the drug-using criminal does not go in for cocaine, as a rule, because of the conspicuousness of its effects, but uses morphia, the effects of which are mainly soporific; (f) that the gangster is of all criminals the one least likely to go in for drugs, least of all for cocaine; (g) that most of the fallacies which exist in the public mind on this subject are due to the sensational writings of ignorant reporters and fictioneers; and (h) that although the effects of drugs are far from beneficent, they are also far from being as disastrous as is ordinarily believed, and that the use of drugs does not materially alter the essential character of the user.

The one point, I find, on which I have not laid sufficient stress, is that *the drug-using criminal invariably uses morphia* (and not cocaine, or other drugs, except in times of emergency, when morphia is for any reason unobtainable). This is of greater significance than it may seem. For if the effects of cocaine are to make the user subject to hallucinations and temporary insanity, the effects of morphia are almost

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the opposite. In fact, the final effect of a "shot" of morphia is to put the user to sleep (it is for this purpose that it is normally used). This means, therefore, that the criminal's use of morphia would tend to prevent him from committing those depraved and vicious crimes which are characteristic of the cocaine sniffer and for which the criminal (especially the gangster) is so often wrongfully blamed. The use of morphia by imprisoned criminals is almost inevitable. Normally a self-indulgent person, and faced with the prospect of long years in a harsh and depressing environment, he naturally seeks escape in drugs which enable him to sleep most of his time away, or to spend most of it in a hazy stupor of contentment produced by the drug. The average criminal drug user's attitude toward the cocaine user is pretty well expressed in the following remark (which I have heard made so many times, and so fervently, that I am sure it is quite sincere): "Why, I wouldn't dream of teaming up with a 'cokey'! I tell you they're crazy. I've seen them pull out a gun and throw shots at what they imagined was a policeman's face in the window, when there wasn't a policeman within a mile of the place! They'll get a feller into trouble, and get him pinched, every time!" To the imprisoned criminal, then, morphia (which he uses in nine cases out of ten when he uses drugs at all) is merely an escape mechanism, a counter-poison; it is not the elixir of happiness which it is to the true addict. I have known many convicts who thus made use of morphia while in prison but

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stopped using it when they reëntered the free world. I used it myself, off and on, for the last seven years of my imprisonment; but at no time did I cease to hate it (as temporarily helpful as it was), and in the free world I no longer feel the slightest desire for it. We (the "prison junkers") are not, as I have said, the *devotees*, but the *victims* of the drug, and use it only as a means of escaping from unbearable, unmalleable reality.

A final word as to the effects of drug addiction upon the prison community as a whole. In the first place, it creates havoc in the minds of honest guards and other conscientious officials: they are constantly obsessed with the fear that drugs will, in some mysterious manner, slip into the prison past their alert eyes. This makes them overly suspicious. They watch the prisoners receiving visits in the guardroom as they might watch an angry rattlesnake creeping up to strike them. This, in turn, breeds hostility to guards and officials among the prisoners. The prisoner receiving a visit from his sweetheart sees the guard observing them closely. He thinks, "Is this so-and-so trying to 'make' my girl?" In this respect the presence within the prison of habit-forming drugs is merely one of a number of causes of friction between prisoners and officials.

Their presence also results in a great deal of friction among the prisoners themselves. Various cliques try to get control of the intramural drug trade. There are fights, often bloody and terrible to behold, not

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only among the professional vendors, but between prison addicts who accuse one another of "holding out" on the secret supply of drugs.

These are comparative trifles, however. The chief damage that drugs do to the prison is in the weakening of its defenses. A lot of melodramatic stuff has been written about the wonderful and mysterious ways in which prisoners smuggle drugs into the prison. The favorite place for concealing drugs, in the minds of fictioneers, is in the hollow heel of an ordinary shoe. As a matter of fact this has happened — along with other clever and mysterious incidents of smuggling; but as a matter of cold fact, if this were the only way in which prisoners could obtain drugs, there would be very little drug addiction in prison. The fact of the matter is that *guards and instructors* bring the deadly commodity into the prison — usually for twenty-five or more dollars a trip. The "right" prisoners establish contact with a "right" guard. He goes to a place, the address of which has been given him. He generally goes there on his "day off", gets the little package, and brings it into the prison when he reports back for work (he is usually a night guard). . . . As I said a moment ago, the chief damage the drug does is in weakening the defenses of the prison. The average guard is a poorly paid man. He is always ready to earn an extra dollar. He begins by bringing in some petty item of forbidden goods; soon he is bringing in the habit-forming drugs; and finally, having gone that far, he is himself enmeshed in the net

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of his own cupidity and more or less has to do as he is told. Finally, as in the famous Trippi case (Trippi killed a guard during an attempted escape and was later electrocuted, and a great deal of drivel was written about the mysterious ways in which the underworld had provided him, in prison, with a gun), the guilty guard is asked to bring in guns, hacksaw blades, various implements of escape — and being threatened with exposure if he refuse — he is very likely to bring in even these necessary weapons of death and jail breaking.

Thus drugs, the use of which was intended merely as a time killer, an escape mechanism, a way of finding glorious dream life in the midst of lifeless drabness, end by breaking down, or at any rate seriously weakening, the defenses of the prison. Instead of providing Nirvana — as they do, incidentally, to the prisoners who use them wisely — they create official corruption and thus add to the general turmoil of present-day living.

Chapter VIII

Prison Nights

THE working part of the day is ended. I've had my supper. It wasn't such an awfully bad supper, little as I enjoyed it, much as I sympathize with the prisoners who cry out about the lousy food. It isn't that the food is bad, or not nourishing. (The human animal can live, it appears, on practically any kind of food.) It is simply that it is so monstrously unexciting; the same dishes, week after week; so that one can look at the noon meal and thus tell what day of the week it is. . . .

The next thing is the mail. The mail is brought by the night guard on his first evening round. The time between supper and mail is easily the longest hour that ever was; it is practically interminable. Will I get a letter to-night? Letters are so important to the prisoner. Aside from the rare monthly visits, they are the closest link to the outside world, the only frail bridge between the tomb and the green earth.

The guard eventually makes the round. There is

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no mail to-night. . . . One is not so casual about it as all that. The feeling which comes when the guard walks past the cell without stopping — without slipping the hoped-for letter between the bars — is a composite of frustration and anger. I am sure that the six o'clock guard has been cursed more frequently and more profoundly than any official on earth. The fact that it isn't his fault makes no difference. The fact that it is irrational and unfair to expect letters every night does not matter either. . . . One grinds one's teeth, curses, paces up and down and thinks, "All right. God damn the whole lot of you out there. You couldn't be bothered writing, eh? All right. Wait till I get out!" And eventually one calms down and picks up the dropped book and begins reading again.

During the first year or two of my imprisonment, I could always lose myself in a book, or amuse myself making sketches, memorizing poems, studying, or in any number of other ways. Every six months or so I could count on a long and pleasant evening reading over all the letters I had received and saved. . . . But gradually I drifted into the common frame of mind, which is one of listlessness and stupor.

I would lie down on the bed, a cigarette in my mouth, a book in my hand, shut my eyes, and sail off into the dream world — the ever-exciting, soul-satisfying dream world. If, as was the case during one period of my prison life, I happened to have a supply of morphia, I would already have taken a "pin

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shot",¹ and for a time feel perfectly contented. If not, the world of fantasy had to suffice. One can use only what is available, satisfying or not. . . . Lying there, my mind would go back over the pre-prison years, always to those periods when I had been fortunate in my contacts with women. The war years, when it was so easy and so marvelous to meet lovely, willing women. Tossing discontentedly about on the bed, tormented by physical yearnings, by the unsated hungers of the unmated animal, I would drift off into the most incredible erotic fantasies. I might think of a particular girl—of the girl who had been most frankly and humanly the loving, caressing animal—and remember emotions, feelings, endearing words: "Oh, dear, love me, love me; nothing in this world matters except to love." . . . Fragments of verse would come to mind. Lines like the following, written by a prisoner:

Cruel, oh, cruel it is to lie
Each night in a womanless bed and sigh:
To dream of silky-fragrant breasts,
Tight-circling arms, down-loosened crests
Of scented hair, love-swooning eyes,
Soft-touching hands and velvet thighs:
Remembered nights of honeyed bliss
When long hours died in one short kiss:
Remembered words from one held dear,
Breathed through lips sweet-pressed to ear:
Bridging space from soul to soul,

¹ A subcutaneous injection performed with a common safety pin and a common eye dropper.

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Making of frail halves a whole:

"Love me, dear, oh, ever, ever!"

"Darling, I shall love forever!"

• • • • • • • •

Oh, cruel and cruel it is to yearn

With gnawing passions unabated!

To lie in a lonely bed and burn

With deep desires for years unsated!

Oh, bitter to know the nightly woe

Of desireful men too long unmated!

The hungering body would transform itself into a free and limitless entity and go questing out into the world, seeking, pursuing, yearning. Nothing could withstand it. My fantasy's function was perfectly rational; stilling a hunger. . . . Two hungers. . . . They are best expressed in the credo — the unformulated credo — of the prisoner: "I believe in the lust of the flesh and in the incurable loneliness of the soul."¹

I would lie there and toss about, wholly miserable, hating life, willing to kill myself and get the whole heartless business over with except for one restraining fact: that one day I would be free again; knowing that it would be so deliriously satisfying to live once more, if only for a few days or weeks. . . .

There would be disgusting animal noises from the cells below, above, or adjoining mine. . . . Hateful, disconcerting interruptions. . . . One night a man went mad, raving mad. His cell was below mine. He was a fellow man, a brother, a companion. He went

¹ Hjalmar Söderberg.

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mad from sexual starvation, so I believe. . . . Sitting here writing about it in the free world where women are accessible, it seems impossible, unbelievable. But it happened. There was a loud clatter of overturned impedimenta; chairs, table, dishes, and what not. There was a soul-shaking scream. Then a baleful silence, a portentous silence. In an intuitive flash I realized what had happened and why it had happened. Luckily, I thought, I am so young that I can still hope to get out and live again. This man has no such sustaining hope. It is all over with him. My heart was full of deep pity for him and hatred for the unintelligent stupidity in this world which makes such tragedies possible. It seemed unthinkable to me that any prisoner should fail to understand what had happened to the man, and be full of sympathy. . . . Here I experienced another shock. . . . Instead of the murmurs of compassion I, without thinking, expected to hear, I heard a loud and unfeeling chorus of catcalls, vituperations, curses. The typical pattern of response seemed to be resentment; the other prisoners hated to have their momentary personal preoccupations disturbed. "Lay down, you — — — —!" "Stick your head in the — bucket!" "Hit the gas pipe!" It was nerve-racking, disillusioning experience.

At first, I mean during the early months and years of my imprisonment, my erotic fantasies would be relatively "normal" and harmless. But as the hunger grew sharper, the trends of my day dreams became unqualifiedly vicious. Especially rape — imagined

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with all the soul-destructive details. A young and innocent victim transformed by my power into a pitiful, broken creature. In actual life I could never commit so foul a deed. And I certainly did not desire thoughts and visions of so vicious a character. . . . I called myself a devil — a beast. God! Nevertheless, they came. . . . Nor were they always as describable as that. I have envisioned myself doing the most perverted and inhuman and abnormal things — things I could never find the courage to relate about my dream life; things no publisher could print, and no ordinary person read without being shocked and disgusted. . . . Sexual starvation created these havocs in my mind.

Oh, those prison nights! The essential unfeelingness of throwing a weak and self-obsessed man so entirely upon his own resources for recreation and companionship. How many men in this world are fit company for themselves? To lock a man into a cell for sixteen out of twenty-four hours each day, to leave him alone, not only with his raging hungers, but with his consciousness of failure, of sin, of wrong-doing, and at the same time to pretend to be interested in that man's welfare! If Society wanted to drive a man into insanity or suicide, I can conceive of no more effective way of doing it.

It is after nine o'clock. It is time to go to sleep. Oh, to be able to sleep! But when one is living so fundamentally inactive a life, with almost no exercise, with practically no fresh air, the body simply does not re-

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quire eight hours' rest each night. The man is tired, bodily and spiritually, but he cannot sleep. He can merely lie there and suffer. He can merely lie there and think, and regret, and hate, and swear to have revenge. . . . During the day it is bad enough; but there are always certain things to keep a man up: the need of pretending to be tough; of enduring what he knows all his fellows are enduring; the possibility of visits from the free world; the unwillingness to let the "screws" (guards) see that they have the power to hurt him. But at night one is wholly alone, entirely on one's own resources. And I am certain that Society has done herself more harm (through vicious crimes committed by ex-prisoners who preferred death to another dose of prison), in the long run, than she has done the prisoners themselves — which is saying a great deal — by caging men up for sixteen out of twenty-four hours like tigers in cages.

This is not, unfortunately, a history of punishment during the Middle Ages. The essential facts I have tried to describe prevail at the present moment in most prisons. Here and there a few changes have been made; but by and large, the outstanding feature of prison life is sixteen out of twenty-four hours of lusting in a cage. . . .

There are other physical details which might be related; but they are largely irrelevant. I scorn to describe such trivialities as that the bed is uncomfortably hard, that the flash of the guard's lantern after "lights out" may wake one up and spoil the night's

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rest, that the smell of the bucket is horrible in August. There are difficulties of these kinds, to be sure; but they are difficulties which, in lesser degree, the average free man in the outside world has to put up with; they are not hardships which are peculiar only to the convict.

The essential facts are that the man is in the cage and that his hungers of the flesh and of the soul most strongly assail him when he is alone. These two facts are the underlying causes of prison stupor — the habit of daydreaming, of escaping from reality — which is the worst effect of imprisonment. First indulged in at night, in the cell, the habit is carried over into the drowsy morning hours, then to the drowsy noon hour, until finally it takes full possession of the man, so that he spends most of his waking moments in a species of hypnosis, nearly or utterly incapable of reacting to the normal emergencies of life. . . .

A restless, nightmarish night, after which one arises more tired than when one went to bed, and it is morning again. ("Yonder, see the morning blink!") But the cell has become so agonizingly unbearable that the prisoner says, "God, but I'm glad to get back to the shop this morning!"

Chapter IX

More Remembered Conversations on Crime, Punishment and the Prison

IN the dozen years I have spent in various prisons, I can recall only a handful of convicts who were at all remorseful about their crimes. None of these was of the professional criminal class.

One of these was a man named Bradford, a neurotic, conscience-stricken New Englander. He had been in prison for ten years when I met him. Slightly bald, with a long head and an underslung jaw, he was extremely reticent and aloof with most of us. I had worked beside him and talked with him occasionally for nearly two years, before he thawed out to the point where he would talk freely with me. And it was only after learning through repeated discussions that I had really read the works of Dickens (which he revered almost as much as he did the Bible) that he gave me his full confidence.

"Vic," he said to me one day, "I know that I can talk to you. You won't go around telling every Tom, Dick and Harry what I say and have them make a

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fool of me. You're a gentleman. I can talk to you. The rest of them wouldn't understand. They seem to think it's all a joke, being here, and the things we've done; and they think a man's gone crazy if he regrets anything. But I'm not really a criminal, Vic. You know I'm not. You've seen me and talked with me for quite a while now; you must know I'm not a criminal. I admit that I did a rotten, brutal, senseless thing. But that's the only crime I ever committed; and I wasn't myself that day. I had been drinking and the devil must have got into me. I was like a crazy man for a few hours. This was back in 1908, Vic. I had been out of work. Times were bad. Oh, not like they are now; but anyway, I had been loafing for a couple of weeks and I got to drinking with a few other fellows who were loafing. We used to meet in an old barn near where I lived and spend most of the day sitting around, talking and drinking. My wife and I had quarreled about it several times and were kind of on the outs with each other. Well, I got crazy drunk one afternoon, and when I got home, Elva — that was my wife's name — she started berating me again about my drinking and loafing. We got to quarreling again and I know I got as angry as the dickens. I walked up and took her by the shoulders and I guess I shook her up pretty good. As I say, I was mad as the dickens. I remember I kept telling her, 'Will you shut your mouth? Will you shut your mouth!' She was pretty mad too, and kept shouting at me to let her go, that I was nothing but a drunkard and a loafer,

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More Remembered Conversations on Crime, Punishment and the Prison

IN the dozen years I have spent in various prisons, I can recall only a handful of convicts who were at all remorseful about their crimes. None of these was of the professional criminal class.

One of these was a man named Bradford, a neurotic, conscience-stricken New Englander. He had been in prison for ten years when I met him. Slightly bald, with a long head and an underslung jaw, he was extremely reticent and aloof with most of us. I had worked beside him and talked with him occasionally for nearly two years, before he thawed out to the point where he would talk freely with me. And it was only after learning through repeated discussions that I had really read the works of Dickens (which he revered almost as much as he did the Bible) that he gave me his full confidence.

"Vic," he said to me one day, "I know that I can talk to you. You won't go around telling every Tom, Dick and Harry what I say and have them make a

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fool of me. You're a gentleman. I can talk to you. The rest of them wouldn't understand. They seem to think it's all a joke, being here, and the things we've done; and they think a man's gone crazy if he regrets anything. But I'm not really a criminal, Vic. You know I'm not. You've seen me and talked with me for quite a while now; you must know I'm not a criminal. I admit that I did a rotten, brutal, senseless thing. But that's the only crime I ever committed; and I wasn't myself that day. I had been drinking and the devil must have got into me. I was like a crazy man for a few hours. This was back in 1908, Vic. I had been out of work. Times were bad. Oh, not like they are now; but anyway, I had been loafing for a couple of weeks and I got to drinking with a few other fellows who were loafing. We used to meet in an old barn near where I lived and spend most of the day sitting around, talking and drinking. My wife and I had quarreled about it several times and were kind of on the outs with each other. Well, I got crazy drunk one afternoon, and when I got home, Elva — that was my wife's name — she started berating me again about my drinking and loafing. We got to quarreling again and I know I got as angry as the dickens. I walked up and took her by the shoulders and I guess I shook her up pretty good. As I say, I was mad as the dickens. I remember I kept telling her, 'Will you shut your mouth? Will you shut your mouth!' She was pretty mad too, and kept shouting at me to let her go, that I was nothing but a drunkard and a loafer,

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and that she was going to leave me, that she wouldn't live another minute with such a drunken brute. Finally, I don't know if it was my shaking her, or the smell of whisky on my breath, but she seemed to get disgusted and gave me a violent shove, and I tripped over a stove poker and fell over backwards on the floor. Then the very devil must have got into me, Vic. I remember she was standing there, taunting me about being so drunk I couldn't stand up. All I could see, in my rage, was her face mocking me. I grabbed the stove poker, and began beating her over the head with it, all the while crying, 'Will you shut your mouth? Will you shut your mouth!' She fell down on the floor. I threw the poker down beside her and walked out of the house. I didn't dream she was dead. All I remember was thinking 'Well, I guess you'll shut your mouth now for a bit.' I went back to the barn with the fellows and told them I just beat hell out of my wife. They laughed and gave me some more whisky. I stayed there drinking all the rest of the day. Late in the afternoon, I started for home. But I didn't get there. I never got home again; I never saw Elva again. I was so drunk I passed out on the way home. They found me lying in a ditch alongside the road. I woke up in the county jail the next morning, and they said Elva was dead, and I had killed her. My God, Vic, you can't imagine how I felt. I was a murderer. I felt rotten and dirty and miserable. I couldn't hold up my head or look any one in the face. I can hardly do it even now and it's over twelve years ago. I'll never feel

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clean again, Vic. I'll never feel right. I see Elva's poor face in front of me nearly all the time. I can't get to sleep at night for hours; I just lie there and see her, and remember what a beast I was; what a dirty, drunken brute. I wake up in the night, all covered with cold sweat, dreaming about it. Why, look at me now. I used to be a big, strong fellow; now I'm only a bag of skin and bones. Nobody knows what I've suffered, Vic. I've only told two other people about this, in all the twelve years; and one of them was a minister. He said God would forgive me; and I know he must be right. They say if a man repents, all will be forgiven. Then God must have forgiven me; for He only knows what I've been through and how sincerely I regret my life. Vic, I do not care if I never get out — I do not care if I have to spend the rest of my life in prison — if only I can undo what I've done. I know that's impossible; but I'd die cheerfully this very minute if I could bring Elva back to life again, and wipe out the past. But no — I'll have to carry this cross with me right to the grave. . . . Please don't ever tell the other fellows what I've told you, Vic. Oh, I know you won't. They'd only mock me, laugh at me, make a fool of me. They don't understand. All they think of is this world. They never think of the Day of Judgment. But I do. Jesus, if only I could bring back the past and be clean once again! What I wouldn't give!"

The second was a young aristocrat, who had run over and killed a child during one of his drunken es-

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capades. He was too sophisticated and naturally reticent to talk about it; but from his general attitude and behavior there could be no doubt about the sincerity of the remorse he felt.

The third was a middle-aged bond salesman who had murdered a young manicurist who had been his mistress. Married, with two children, he had come to the parting of the ways with his wife. For the sake of the children and their social position, they did not divorce each other. During this time he had met and fallen in love with the young and pretty manicurist, spent money on her lavishly, and in general made a perfect fool of himself. To her, he was merely another "sucker" with money. When he learned the truth about her, he became mad with jealousy. He set a trap and caught her in the very arms of a younger lover. When he berated her about her infidelity and general sluttishness, she laughed at him. Then she proceeded to enlighten him as to his physical and emotional shortcomings and tauntingly asked him if he thought so lovely a girl as herself could possibly be in love with anything about him except his money. He went completely mad at this point, drew a gun which he habitually carried, and emptied it into her cynical face. His regrets, however, were not for his victim, but for his wife and children, whom he had so foolishly disgraced. He felt very badly on their account, although he felt that the victim got more or less what she deserved. He was rather sorry, too, for himself, realizing that he had wrecked his career and

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ruined his whole life in a moment of jealous rage.

He used to say to me, "I'm only a helpless old man now, Vic. Suppose they were to let me out to-morrow — I couldn't even earn my own living. I'd just be an object of charity. I'm no good for anything — to myself or to anybody else. Watch out for whisky and women, lad; they're the devil and all; they're the most dangerous combination under the sun. God knows I'm sorry for what I did. Not that I give a damn about that little gold-digger; but there was no need of killing her. I didn't mean to kill her; I just wanted to show her up for what she was. But when she started showing off in front of that other chap, and telling me what a big chump I had been, I just flew off the handle and shot her. I'm not so sorry on her account. It's on account of my wife and children. Just think of the harm I did those innocent people by my foolishness. I'd give my right arm to undo what I've done! Not only that, but I've made a complete mess of my own life. This is the only life I believe in; and it's pretty damned tough to sit there night after night in the cell and realize that you've thrown away the only chance you'll ever have to live. Take my advice, lad; stay away from loose women and strong liquor. They'll get you down in the long run."

The fact that I can remember only three or four convicts who were truly remorseful and repentant, out of the hundreds I have known, is the most impressive evidence I can offer in support of my conviction that there is practically no contriteness of heart

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nor regret for past crimes, among convicts. They are sorry, most of them, that they were *caught*. Regret and remorse are as rarely met with in prison as virtue and honesty. Most criminals, to be sure, pretend to be sorry for their mothers, wives and families; but the fact that a good two thirds of them go out and repeat their crimes tends to indicate that their sorrow is largely a sentimental gesture. They want to *want* to be sorry.

In their general behavior and in their expressed thoughts, most convicts reveal an amazing callowness; they are immature, infantile, in their various attitudes toward life and human relationships. They describe the most shameful and hair-raising exploits exactly as an ordinary man would tell of some boyish escapade, and seem convinced that the listener will view their conduct as mere harmless devilishness. Their chief need seems to be to impress the listener with their daring, cleverness, importance, and general lawlessness.

Charley Toomey is a case in point. "What a tough break I had, to get caught just then," says Charley. "I was sitting right on top of the world. Only for that dumb bastard Brocco (a fellow thief) I'd be on the street yet. These thick-headed cops would never have caught me, only for Brocco's being such a dumb chump. Look at the way I was living. I had the swell little apartment you ever saw, over on Newbury Street. That's a pretty swell neighborhood, you know. Course I gave 'em a ritzy name. 'John P. Cabot' was

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one name I used to use a lot. Well, I had a radio, a piano, a Frigidaire, a swell car, plenty of liquor — good stuff too; none of this cut stuff. And what a broad! Did I ever show you Estelle's picture? I'll let you see it some time. What a doll! Weighs about a hundred and twenty pounds; one of these platinum blondes with blue eyes. And is she built! And could she shake those hips! She's about the hottest thing they ever saw around here. Believe me, there were plenty of guys giving Estelle a play. Guys like Teddy Burns, that's got that swell orchestra, and Nobby Nolan, the dancer, and guys like that; they'd have given their right leg to make that girl. But nothing doing. I had her made proper! No chance for any of those guys there. Why not? Swell apartment, swell car, plenty of money; what more could a broad want. And I'm not such a bad-looking guy myself when I get all fixed up. Well, that's the way I was living. Stepping out every goddam night to some hot spot — the Cherry Grove, the Egyptian Room, the Bosworth Roof, and places like that. And would we knock 'em dead? Say, the minute Estelle walks into a room, every son of a — in it sits up and takes notice. They don't come any niftier than she is. Do you think we weren't having the time of our young lives? I'll say we were. I had the dough — and that's what counts nowadays, believe me. And what a racket! When I'd run short of dough, I'd go out and hunt up some small bank, or something, that looked like an easy take. When I got it all cased up, I'd go and get Brocco and a couple of

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other lads, and we'd step in and push it over. And what push-overs most of those banks are! Always got at least two or three grand for my end of the boodle, too. Nothing petty about me. When I go out after the dough, I want dough, and no scratch. Jesus, I'd be out there yet, too, only for that dumb son of a — of a Brocco! When I think what a chump he was, I could tear my hair out by the roots for ever having anything to do with him. But how the hell could I know. You can't tell much about a guy until the crash comes, and then it's too late. And now look at me. Jesus! I lose my apartment, my car, my radio — I lose everything. If I didn't get a tough break, I'd like to know who did! Sitting on top of the world like I was, and then to lose everything on account of a stupid stiff like that Brocco. I suppose Estelle will stick. She better, the little bitch, after all the cocoanuts I threw away on her. The worst of it was, though, that I got caught when I was clean. I didn't have enough dough to get the right mouthpiece. Now if I'd of had about five grand to throw to So-and-So, or a guy like that, I bet I'd be on the street right now, or at the worst I'd be doing a measly deuce down the Island. Talk about tough breaks!"

Charley's attitude is so typically that of the average professional criminal that, having listened to it so many times, I can recognize it after the first dozen of spoken words. It is absolutely a pattern. The life thus described, and the attitude toward it, are vital features, too, of the continuous daydreams indulged in

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by the criminal when he is in prison. He projects himself into a coming life, after prison, which will be a duplicate of the life he remembers and yearns for. Thus even in his To-days, and in his daydream To-morrows, he lives always in the Past, in his Yester-days.

With the average raper, it is different. Unless he is the raper of young children, sexually insane, the complete degenerate, he feels that he is a pretty badly abused and long-suffering individual. "I'm not a criminal," he says. "This girl was pretty young, but she was old enough to know what she was doing. They don't get to be fifteen or sixteen nowadays without knowing what it's all about. This one kept teasing me and leading me on. She was a little teaser, that's what she was. She was always playing around, looking for just what she got. I'm only a man, damn it, and a man can't stand to be teased like I was, not unless he's a saint. Christ, what harm did I do the girl? She was bound to get it sooner or later, the way she was acting, either from me or from somebody else. I didn't do her any harm. I've worked hard all my life, and gone to church every Sunday, and been a law-abiding citizen, and yet they throw me into prison with a lot of thieves and murderers, as if I was one of them. Is that right? I just fell, once, for a temptation that was too strong for me. No man with a drop of blood in his veins could have helped doing what I did. Now, here I am, doing ten to fifteen years, and all these thieves and murderers insulting me and calling me

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names every day. And all the people of my town have turned against me — the dirty hypocrites! Almost any one of them would have done the same thing. If I told all I know about some of them — church members too — they wouldn't look so high and mighty. I wouldn't mind a few months in jail, or something; but to be thrown in here with a lot of thieves and murderers! And I'll be an ex-convict when I come out! I won't be able to go back where I come from, or get any work. That's a hell of a way to treat a man who's only made one mistake, isn't it? Don't the Bible say to give a man a chance — seven times seventy chances? I tell you, it isn't right."

Listen to the average stock swindler, embezzler, and the like. "Hell," he says, "you'd think they'd show a little consideration for a man like me. I was a decent member of the community, a gentleman. I never went out and murdered any one or robbed any one at the point of a loaded gun. I got away with some money, yes; but so does every business man; that's what he's in business for. As for its being a swindle — all those people who got trimmed deserve to be trimmed. Then, when they lose, they go running to the police like a lot of stuck pigs. Well, as I say, you wouldn't mind if they'd put you in some decent place, where you could associate with your own kind; but they throw you in here with thieves and rapers and murderers and degenerates — with the very scum of the earth. Believe me, the next time I won't stay around waiting to be caught, or helping

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the district attorney's office straighten things out. No, sir! I'll grab a boat for Cuba, or some place, and start right out for parts unknown!"

Or listen to the average murderer. He often maintains that he was completely innocent and wrongfully convicted (as do many thieves and rapers); he usually feels that, even if guilty, he was wholly or at least partly justified in killing; and in nearly all cases he feels that his punishment is too severe, his sentence too harsh. It is small wonder, however, that a man who has been in prison for ten, twenty, or thirty years, with no prospect of getting out in the immediate future, should become addicted to self-pity and maudlin wishfulness.

He says, "They might better have electrocuted me in the first place, and got it over with, than to have made me suffer what I've suffered. It is true that I killed a person. But do they realize that I was driven and goaded into doing it. What I did was done in a fit of angry passion. I simply didn't know what I was doing. For the moment I was completely out of my mind. And now I have to spend the rest of my life in prison. I'm not a criminal. I'm not a degenerate. This is the only crime I ever committed. They know that if I were to be released to-morrow I'd never commit another crime. And yet I have to stay here, year after year, with a lot of degenerates and thieves, the very lowest people in the world. Christ, don't they stop and think what a man must suffer in here? What the hell is 'sufficient punishment', if ten

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or twenty years of prison isn't enough. It's a wonder I don't go completely crazy thinking about it (many of them do). And you can't get out unless you've got plenty of money or political connections. It isn't right."

Now listen to the convicts as they talk about prison life and other things pertaining to crime and punishment.

Says one, "Did you see that piece in yesterday's *Post* about how prisons are getting to be Men's Clubs? I'd like to see the son of a —— who wrote that piece come over here with a sentence of about five years; he'd goddam soon change his tune. What the hell is the matter with the guys that write articles like that? They must be guys that we clipped for a few bucks some time or other and they want to get even with us. Is that it?"

"Naw," says another. "They're just nuts. They read in the paper how Sing Sing has a football team, or how we've got radios in our cells, and right away they think a prison is like one of the Statler hotels. They don't stop to figure that we're only out on the football field a half-hour or so a day, or that we only use the radio at night, or on Sunday, when we're in the cells, and that the rest of the time we're grinding away in some stinking shop making automobile plates or cheap shoes. They don't stop to figure things right; and some of them wouldn't give a damn if they did. They just see a chance to take a sock at us,

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and so they write one of these lousy pieces in the paper, or make a speech in front of a bunch of women. It's guys like that crazy bastard over here in Whatsis County — what was his name, So-and-So? They get hot in the pants and take it out on us. I guess their consciences must be bothering them about the helpless guys they sent over here with big bits, so they try to make themselves feel better by trying to show what a lot of bastards we are, and how swell we get treated in prison."

"Yeah," says Number Three. "It's a crime the stuff they write about us. And they don't know what the hell they're writing about in the first place. Most of them never even saw the inside of a prison. Even these psy — psych — bug doctors that come over here and give us the bug tests. What do they know? They make us put a few blocks together and answer a lot of crazy questions about did you ever lay your mother or sisters. What the hell do they know about us? I never told them anything that wasn't already on the books — I just gave them a lot of crap — and so did everybody I know. But to hear them, you'd think they *knew* something about us."

"And take the chaplain," says Number Four. "He's been here all his life. But what does he know? Only what them goddam bibleback cons tell him over in his office. He wanders around the shops and yard, and says 'hello, how's things', and gives a speech in the chapel on Sundays. That's all he knows. But every other day you see a piece in the papers where he's been

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giving a lecture to some club, or something, about 'Within Prison Walls.' Can you tie that? Why, he don't know what it's all about yet — he never will know. But he gets paid for those lectures. What a racket *he's* got!"

"Yes," says Number Five, "and take these goddam papers. What do they know? They're always riding hell out of us. Before a guy goes to trial they've printed so much crap about him that you couldn't get a fair jury in the whole damned State. You're convicted before you even get into court. And the 'crime waves' they're always writing about, whenever they run out of news! That's what keeps a lot of us poor bastards from getting out of here on parole."

"Sure," says Number Six. "They don't any of them know what the hell they're talking about. Now take this place here. How do they figure a place like this is going to 'reform' a guy; will you tell me that? Even if we're all a little off the onion, as the bug doctors claim we are, how the hell is this place going to help us any? If a guy is sick and they send him to a hospital, they have doctors and surgeons there that can tell what's wrong with him, and give him medicine, or operate on him, or like that. But what have they got here? Nothing but a lot of half-wit screws that don't even know what's wrong with themselves, let alone us! And all the treatment they ever give a guy is a growl, or a few days' bread and water. That certainly don't do a guy any good. It hurts him. Christ, when a guy goes to the hospital, or even to

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a school, they don't just leave him laying around on a bed or sitting in a chair; they do something for him. What do they do here? They just give you three half-arse meals a day, a cell to sleep in, and keep you grinding all day in some goddam shop. Do they think that'll reform a guy?"

"That's right, pal," says Number Seven. "And take it in these shops. If they'd even teach a guy a trade — make him learn a trade — you wouldn't mind. Then a guy would have something to fall back on if he felt like hitting the straight and narrow. But what do they do? They put you to work making automobile plates, or something that's only done in prisons; stuff you couldn't get a job at outside if you wanted to; and the machinery is all twenty years out of date; and the instructors don't know anything about up-to-date methods; and the materials you get to work with are so lousy that you can't learn to do decent work even if you want to. Here I am. I've been working in the shoeshop for five years. What good will that do me? In the first place, the work I'm doing is done by women and children outside; it don't pay anything; and if I tried to get away with the lousy kind of work I've been taught to do, I wouldn't last two hours in an outside shop. The print shop is the only shop in here where a guy could learn a decent trade; but Christ, there's only room for forty guys in that shop, and you have to be a high-school graduate to get in there. That don't do the rest of us any good. There's a thousand men here, and only room for

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forty or so over in the print shop. And not only that, but So-and-So was always threatening to close the print shop because it didn't show enough profits. That's all they think about here. They don't give a damn about us learning a trade; all they care about is having the industries show a profit!"

"And take a guy when he gets out of here," says Number Ten. "Times are lousy outside. Even guys who know their trades, guys that can get swell references, can't get a job nowadays. And if they can't get work, how in the name of Christ are we going to get it — even if we want it? And the jobs you can get don't pay anything — not enough to live on. A guy might better be in here than out there starving to death. How the hell is a guy going to live on twenty-five or thirty bucks a week, especially if he's married? I know plenty of families do live for even less than that; but not a guy that's been used to living the way we have. Take the average guy that's been stealing all his life. Why, he spends that much for taxicabs and theater tickets, and crap like that. He's used to good hotels, and swell food, and ritzy clothes, and high-priced women. Then keep him in prison a few years, where he can't get any of these things. Do you think he's going out and work for twenty-five bucks a week? Like hell he is! He's going to do what I'm going to do. I'm going to grab me a gun and go right to work and get back in the money. Me work for starvation wages, while some millionaire rides around in a Packard and drinks champagne? Don't make me

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laugh! I'm going to make somebody pay for the years I'm putting in here."

"The hell of it is," says Number Eleven, "that it don't work out like that. By the time a guy gets out of prison the cards are all stacked against him. He's out of touch with all the rackets; he's got a prison record — and that's all it takes to convict him, nowadays; he's been finger-printed and mugged; a lot of dicks and cops know him by sight. Between that and the police radio signals, and stuff like that, a guy with a record is licked before he even starts. I think a guy with a prison record, that goes out of here and steals, is crazy in the head. He hasn't got a chance. Not only that, but it isn't worth it. No matter how much dough you get, what good is it if you have to come back here afterwards — and the chances are you'll come back here with a twenty-to-thirty bit when you do come. Even if you had some of the dough left when you got out, it would be bad enough; but how many guys have a dime left when they come out of the can? And you'll be an old man by that time. I say it's a sucker's racket."

"Yeah," says Number Nine. "It's a sucker's racket, all right; but what can a guy do? I can see you going out of here and going straight — yes, I can!"

"I don't say I'm going straight; but you can bet your solid ivory skull I'm not going out on any racket they can send you back here for; not me. I'm going to work — bootlegging, or something half legitimate, where all they can give you is a fine, or six months."

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"Hell," says Number Ten, "you're way behind the times, pal. They ain't no more dough bootlegging. Only the big shots that buy and sell it by the boatload, or the guys that own the big night clubs, are making even expenses. You been in the can too long; you don't realize what this here depression has done to the country. Listen, you know they've all gone for bootlegging now — the drug stores, butcher shops, barber shops — ev'rybody. Why, I know one single block on the west side in New York — just one city block, mind you — where there are thirty-five speakies or bottled-goods joints! Thirty-five in one block! Too much competition. No money for nobody."

"Well, then," says Number Eight, "what the hell is a guy going to do when he gets out?"

"There's only one thing he can do," says Number Ten. "Do what all the mobs are doing — do what I was doing — go out and steal! It may be a sucker's racket, and all that; but the way things are now, there isn't a goddam thing else he can do, if he wants to live right. It's either that or the bread line."

"Well," says Number Eight, "I'll be damned if I'm going to hit any bread lines as long as there are guys riding around in Packards and going to Florida for the winter. Not me. That's the trouble with this country. The Bolsheviks are right. Is it right for nine men to starve so that one man can ride around in a Packard?"

"Aw, you're getting stir-simple," says Number Ten. "I suppose you'd like it if they was to divide up all the dough, so that everybody had just as much —

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or in other words, nothing. Yes, you would! Those Bolsheviks are all wet, anyhow. Don't they believe in free love, and no religion, and crap like that? And how the hell are you going to steal any dough if nobody's got any? None of that bunk for me. Let things ride the way they are. Just take it easy, and before you know it, things will be all right again."

"By Christ, it's pretty tough, though," says Number Fourteen. "A guy has practically got to steal, the way things are outside. Take it in my case. I've got a wife and three kids to look after. The wife's been working since I came here — when she could get any work. She's been getting a few bucks a week from the welfare people too. But that'll stop when I get out. And there I'll be, with a wife and three kids on my hands and no trade, and no work, and no money. What the hell can I do, but steal?"

These conversations are entirely typical of the professional criminal. Those of the non-professionals are so essentially those of the average law-abiding citizen that they need not concern us in the present discussion. As I have stated before, and tried to show in these conversations, the average professional criminal is usually an extrovert, little given to introspection, and very little inclined toward reflection about things which do not closely concern his personal comfort. Although he is mentally acute in certain ways, reflection and analysis are foreign to his nature, except when, occasionally, some newspaper-created "crime wave" temporarily hurts his chances of making parole.

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What he is chiefly concerned about is, "When do we eat?" "What's the show for Sunday?" "How much time have I got left?" or "Do you think I'll have a chance of making parole?"

Chapter X

Prison Stupor

AT the age of sixteen I was working as office boy for a commission merchant who owned a warehouse in the freightyards near the State Prison. Occasionally I was sent on errands which took me past the main gate of the prison, through the steel-barred gate of which I could usually see one or more trusties raking the lawn or working in the garden. One day I stopped, leaned against the steel pickets of the fence which enclosed the prison courtyard, and looked in. A trusty in a suit of striped overalls was standing with his arms folded lazily against the handle of the rake, his head resting dejectedly on his arms, his whole attitude that of a man who had worked all day and was very tired, although it was only about nine o'clock of a cool spring morning. He seemed almost in a coma. There was an expression of utter indifference on his face, and his eyes were glazed with absent-mindedness. He was, although I did not know it then, a living example of the total, final, devastating effect of imprisonment upon the human being.

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Six years later I was serving my first term of imprisonment in this very prison. As I stood in the line at "bucket parade" one morning, another column of convicts marched past us. In it was a young man of about my own age (twenty-two) who was surreptitiously laughing and joking with a companion. He was apparently a recent arrival and certainly a first-termer; his face, his movements, his whole attitude expressed youth and health and unconcerned gaiety. An old-timer who was standing beside me said, out of the corner of his mouth, "This place will take a lot of that steam out of him in pretty short order!" There was a kind of admiration tinged with sadness in his eyes as he said it. "I was like him a few years ago," he added. Without knowing why, I somehow knew that the old-timer was right; that imprisonment would eventually rob the young prisoner of his gaiety, his spirit and something I call the gaiety of his tissues. I thought of the somnolent trusty I had seen years before. All about me I could see men with the same expressionless faces, the same sluggish, lifeless movements. The deadening result of imprisonment.

Each afternoon as we left the tiresome shops and came out into the recreation yard, I would tear madly to the locker to secure a glove and ball, and exercise furiously for the brief half-hour we were allowed to remain in the fresh air. More than one old-timer, seeing me so full of vigor each afternoon, would say to me, "Go to it, kid! Keep yourself in good condition. If you don't, why the goddam place will get you

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down; and once it gets you down, you're down for keeps. I used to be full of pep, too, when I first came here. But that was ten years ago! Now I'm lucky I can navigate at all. Take my advice, kid, and don't let up for a minute. The minute you let yourself go slack — you're gone. It'll get you surer than hell."

What was this horrible thing, I wondered, which could make weak dawdlers of men who had been full of health and strength a few years ago? As the years rolled past, I began to learn. The remarkable thing about it, I thought, was that the convicts were aware of its wide prevalence and yet seemed powerless to keep out of its constricting clutches. It struck me that there must be something very devious and dangerous about an affliction which could attack men who were conscious not only of its unconcealed presence, but also of its cruel power. There was, and there is! To this day, I have never lost my fear of it. I dread it as I dread the thought of being gripped by some powerful and unbreakable habit like drug addiction. For I will go so far as to say that I consider its effects as enervating and demoralizing as the effects of a habit-forming drug. That a man may come out of prison penniless, lacking friends, without a home or a job, is, to my mind, not nearly so awful as that he may come out a victim of prison stupor (as some of us term this malady). With a reasonably healthy body and a reasonably balanced mind, the ex-prisoner might overcome such handicaps as poverty or unemployment; but if his handicap is also a bad case of prison stupor,

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it will go very hard with him. It is a hard fact that all men who have been in prison for a long time are victims in greater or lesser degree of this disease.

By this time the reader is likely to be saying: "What is this prison stupor?" I can best answer the question by describing the aspects and factors of the prisoner's mental, social, physical and emotional environment which causes him to give way to this prison paralysis.

There are, to begin with, certain lesser things which undermine the convict's physical strength. For example, in the Massachusetts State Prison at Charlestown, where I served my last prison term, we were obliged to spend most of our time (sixteen out of twenty-four hours a day) in poorly ventilated cells or stuffy shops. (This is not ancient history, either; the prisoners at Charlestown continue to get only half an hour a day in the recreation yard except on Saturday afternoons, when they get one and one half hours.)¹ This meant, of course, that the prisoners were deprived of sunshine, fresh air and wholesome exercise to a point far below the requirements of physical well-being. The food, moreover, although it was plentiful, was badly cooked, sloppily served, and on the whole fearfully dry and uninteresting; the more so since, from lack of air and exercise, our appetites were naturally far below normal. And we ate it alone, in our cells, so that we might not fight or conspire with

¹ For a description of the daily routine, etc., at Charlestown, see a paper by Field and Winslow, *Journal of Criminal Law and Criminology*, Vol. XXIII, No. 2, July-August, 1932.

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each other. Thus cheated of proper nourishment, sunshine, fresh air and exercise, we gradually lost strength and vitality. But no matter how under-vitalized a man might become his carnal appetite seemed to retain its full strength (which is natural enough, seeing that our sexual hunger was never appeased); and in our cells, where we were obliged to spend more than two thirds of our whole sentence, we were constantly subject to erotic fantasies generated by the sexual hunger. This led to occasional, frequent, or even habitual masturbation, which also wore down our physical powers of resistance. Gradually we grew dull and lethargic, our bodies succumbing slowly to all these forms of malnutrition.

Then, too, we spent the working hours of the day in stuffy, overheated (in the winter, cold) shops, where the daily task was insufferably dull and uninteresting. The paltry half-hour of exercise in the dry, grassless, dusty yard, where even the air was stale and impure, was certainly not enough to offset the eight hours of shop time — to say nothing of the fourteen torpid hours of cell time which followed each afternoon recreation period. Day by day, therefore, we grew physically inert; and after a few years of imprisonment, we no longer had the energy, even when we had the desire, to exercise vigorously during yard time — unless we were the unusual men who had the strength of mind or character deliberately to exercise and thus build up strength with which to fight off attacks of prison stupor.

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There were also numerous mental and emotional circumstances which helped to ripen us for the sickle of living death. Except during the yard period, a man could not choose his associates. In the shop he had to associate with the men who happened to work beside him, whether he liked them or not. Only rarely did he find himself working beside agreeable companions. Yet he had to spend about one third of his whole term with these unchosen fellow workers in the shop. For the most part, he had to get on as best he could by himself, and have as little intercourse as possible with companions who proved uncongenial. This threw him back upon himself far more than was good for him. Contacts with guards and other prison officials were, for the most part, just as futile and just as unavoidable. That the incompatibility of temperaments was mutual did not make any difference; the effects were exactly the same. Not only that, but visits from outsiders — from relations, sweethearts, wives and other well-loved friends — were of course rare, far too rare to give the prisoner those frequent and varied mental and emotional contacts which might have kept his mind and emotions active and reasonably well-balanced. Like a wanderer in a strange, crowded city, the man in prison was lonely, despite the close proximity of numerous fellow convicts. He could see his chosen associates — the men he liked — only during the brief daily recreation period, unless he happened luckily to be assigned to the same shop as his friends (and this did not happen very often). As a matter of

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fact, it was the real (though undeclared) policy of the shop guards and higher prison officials to keep friends and gangs separated, lest when trouble began there be too great a fraternity of spirit — a useful precaution for purposes of discipline, but simply bad for men. This lack of social, mental and emotional contacts, together with the malnutrition and other physical factors already mentioned, had the effect of throwing the prisoner almost entirely upon his own resources; and it was only the very highly endowed prisoner who had within himself the necessary qualities of intelligence and understanding to be a good companion for himself, since he had to spend two thirds of all his time in his companionless cell. He could, of course, read, or otherwise consume or utilize these leaden-footed hours of solitude; but reading and other solitary diversions began to grow deadly and unsatisfying after a few years of imprisonment; and it was then that the prisoner was obliged to look within himself for the courage, strength and patience to endure his misery. Usually he was by nature deficient in these vital qualities, and thus likely to give way to a self-pity based upon realization of the tragedy of his life. Constantly craving freedom, furiously hating all restraint, hungry for food, liquor, women and bodily and spiritual necessities, his thinking became colored by his needs and wants, and in time he developed into an aching bundle of unsated desires and wishful yearnings. I do not mean to imply that this particular prison is unique

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or that prison stupor is a product only of an occasional prison. It arises wherever men are in confinement. Furthermore, the normal man in the free community makes the most desperate attempt to escape from it. See how bored people are unless they can go to the theater or movies or play cards, or work and play in some exciting way. The human being, by and large, is a very bad companion for himself; where he has to face himself for any length of time, he acquires a deep disgust and a restless anxiety which make him seek almost any escape.

The total effect of these circumstances was to make him an easy victim of the prison paralysis. But this, unfortunately, was not the whole story. There were other environmental factors which contributed greatly to his lapse into the prison stupor. Among these was the utter lack of responsibility. The prisoner did not need to worry about food, clothes, or shelter; he had no rent to pay, no expenses except for smoking supplies and occasional groceries. All these items were supplied him by the State (in however insufficient or unsatisfying quantities). Neither did he have to worry about a job or about planning his day's work; all this was a matter of ordinary prison routine. He was given a daily task to do, and after a time performed it almost automatically. This resulted in loss of initiative, loss of physical and mental alertness. Never being called upon to exercise these qualities of mind or behavior, his sense of responsibility, his faculty of mental alertness, his powers of

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initiative became so feeble from disuse that they were often atrophied to the vanishing point.

As demoralizing as anything was the overabundance of leisure. In prison there was never any hurry about anything, from the prisoner's point of view. When he saw a fellow convict unduly concerned or impatient about anything, he would say, "What's the rush? You ain't going anywhere." Thus procrastination became a habitual thing. Anything which could be put off until to-morrow was put off until to-morrow. The prisoner had so much time in which to do things that he never got anything done. This created a habit of indolence, of *laissez-faire*. The common attitude was, "Swim with the stream!" "There's plenty of time!" "There's no hurry!" "Take it easy!" So that most of his activity eventually consisted in wasting, killing, consuming, frittering away the overpowering leisure.

Drugs were another factor in undermining the resistance of the prisoner. Perhaps about fifteen per cent of them became "joy-riders" (prison drug addicts). But since the use of drugs is a habit very much like prison stupor itself, it needs no discussion here. It must, however, be listed as an environmental factor which was favorable to the development of the other and equally pernicious habitual escape from real living.

Then there was the general apathy of guards and other prison officials. The prisoner soon learned that he might expect little help or encouragement from

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officials; and so he eventually ceased looking for any; and thus, from still another angle, he was thrown back upon his own diminishing resources.

Perhaps the most important factor in the prisoner's general loss of morale, however, was the sense of failure, the sense of inferiority he felt simply because of his being in prison. No matter how loudly he might laugh at his conventional and law-abiding fellows in the free world, and no matter how hard he might pretend to think them craven fools, there were always a few friends or relations in whose eyes he had lost caste—and this knowledge was disconcerting and tended to weaken his confidence in himself. He knew that they deemed him a moral weakling, as the failures and misfits of this world always know they are looked down upon (however charitably and understandingly) by their stronger, better endowed fellows. Under more favorable conditions, this sense of inferiority might have spurred the prisoner on to the attainment of a real and complete rehabilitation. As it was, he had become so utterly becalmed, mentally and physically, that he simply did not have the capacity for concentrated activity. Too weak to make any progress toward remedying his condition, he inevitably slipped farther and farther backward; and this made him all the more prone to prison stupor.

Since, therefore, practically everything in the prison environment contributed to the gradual demoralization and collapse of the prisoner, I believe that prison

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stupor may rightly be called the final, total, most devastating effect of imprisonment as it exists to-day.

The circumstances and factors which contribute to its development and growth having been described, let me now try to describe the disease itself. Prison stupor is a species of bodily and spiritual anemia. It is largely self-induced, a kind of unconscious habit of self-dramatization or auto-hypnosis. From the host of unsatisfied desires and needs of the imprisoned man (desire for sensual pleasure and comfort, desire to forget the daily round of dullness and misery, the horrible surroundings, the uncongenial associations, the painful realities of unsatisfying life) comes a deep if usually unconscious urge to get away from it all, to escape from the intolerable environment. The prisoner begins mentally (and often physically as well) to shut his eyes whenever he gets a chance; he begins to project himself into the remembrances of some former life, or into some imagined future world in which his desires will be satisfied and life made pleasant. These projections are often erotic, since the prisoner suffers so greatly from sexual starvation, but as often they are future triumph and future revenge. But whatever form his dreams may assume, he is always trying to compensate himself for the hurts and shocks and hungers of the present unbearable life. He seeks happiness, if only in the spurious world of his imaginings. This gives him a certain mild and temporary relief. Futile as it is, it is the only

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thing the prisoner can find. Slipping farther and farther into this habit of daydreaming and self-dramatization, he is in the end so far gone that he spends nearly all of his waking hours in the world of fantasy. The danger of this can hardly be exaggerated; its final result is occasionally madness, and at the least, a pretty strongly entrenched neurosis. The danger is that the dream world may become so satisfying and vital to the prisoner that he will eventually slip over the edge, lose control, and spend all of his time in it.

Its effects become noticeable very quickly. A prisoner comes hurrying out of his cell at noon with the bucket in his hand (which should be carried out only in the morning). As his fellow convicts begin laughing at him, a foolish expression comes over his face. He realizes that he has been in a trance in which he has lost all track of time. The other prisoners know this too. They say, "It won't be long now!" Or "Jones has gone stir-simple" (another name for the prison stupor).

A man gets up in the morning, dresses, except for his shoes, and after breakfast lies down on his bed and drifts off into the dream world. When the bell rings for shop, he jumps up, siezes his bucket and dirty dishes, and dashes out into the corridor before he notices that he has no shoes on. He is likewise laughed at. Again prisoners and guards look knowing and say, "It won't be long now!" They mean that it won't be long before Jones becomes a candidate for the in-

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sane asylum. It frequently happens that, coming out to the shop in the morning, one hears as a bit of local gossip, "Jones broke up his furniture last night. They've got him up in the Blue Room (the observation ward). He's gone completely out of his head."

And in the shop, at almost any hour when I might stop working and look about me, everywhere I would see men sitting in listless, sleepy inactivity, jaws slack, eyes glazed, living for the moment in the world of dreams. If I spoke suddenly to one of these men, he would recover consciousness with a start, look at me in a slightly caught-out way, and murmur, "I was a million miles away from here when you spoke," and wait for me to express my understanding of his lapse by saying, "Sure, I'm like that myself, half the time." For nearly all prisoners are aware that they have grown mentally and physically dull, although few of them stop to analyze the causes of their dullness, or to realize its dangers. They say, "A guy gets in a fog after spending a few years here; it's the goddam place itself that does it. How can a guy be on his toes all the time in a joint like this?"

All the prisoners suffer in varying degrees of intensity from prison stupor, depending largely on their age, length of present or former servitude, but depending even more upon their own personal attitudes toward life. If they are without hope or ambition, if they are serving long terms or life, if they have no prospects of release in the immediate future,

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they are pretty surely doomed to a protracted siege of the prison stupor. Only the rare man with a strong mind or character, or with a definite purpose or ambition in life, is able to fight it off; and even he does not get off scot-free. He, too, will find himself growing listless and absent-minded and giving way to occasional fits of daydreaming. But this man is too rare in prison to count; in the main it may be said that not one prisoner in a thousand escapes from this corroding malady of the mind.

Its effects can readily be imagined. The prisoner becomes lazy, shiftless, physically and mentally torpid, generally ineffective and unreliable. From so many hours spent lying in a trance on his bunk, he even becomes physically weak. When he comes out of prison after years of the stupor, he is likely, after the first thrill of freedom has worn off, to have a relapse into the habitual lethargy. He is especially prone to a relapse if conditions in the free community prove unsatisfying. And because in his self-projections he has always imagined the future free life to be a life of absolute comfort and happiness, he is sure to be disappointed in the realities of everyday normal living. Moreover, his capacity for emotional contacts has become so atrophied from disuse that a thick shell of numbness seems to enclose him; he can feel only the most violent emotions or events. He is thus very badly handicapped in his efforts at readjustment. His faculties of initiative and mental alertness, his sense of

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responsibility, are so weak and ineffective that he is utterly lost in the sharp competition and feverish tempo of life in the free world. He is fit for little except the bread line or the poor farm. This is actually where many ex-prisoners eventually land. For a time some of them fortify themselves with liquor and drugs, and try to spur on their jaded energies in an effort to maintain themselves; but in the end, if they have really had a serious siege of the stupor, they are pretty badly foundered. This is what Warden Lawes has in mind, I suppose, when he says that no man who has served more than fifteen years in prison is normal or fit to be at large. This is also what a convict friend of mine means when he says (and he says it with utter sincerity), "The only cure for the likes of us is to take us out and shoot us!"

Such is the prison stupor. It is an escape mechanism, like drugs or liquor; it is an unconscious fleeing from life; it is the mental and emotional reaction so common among members of the celibate religious fraternities; and it is based wholly upon an inability to face the brutal actualities of prison life. As Tannenbaum points out, the prisoner is so tired of the dullness and misery of To-day that he spends most of his time in remembered Yesterdays or imagined Tomorrows. It has been very poignantly described in some letters by a convict named John Sobiesky in the *Atlantic Monthly* for September, 1923, which I present here in abridged form.

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THE CASE OF JOHN SOBIESKY

(From an article in the September, 1923, *Atlantic Monthly*, by James Bronson Reynolds, [then] President of the American Institute of Criminal Law and Criminology.)

John Sobiesky was, in the words of an unnamed writer in "The Contributor's Column", "a Lithuanian peasant who came to this country an immigrant with high purposes and ambitions. He fell into bad company, for which Mr. Reynolds believes American social conditions in part responsible, and later, while half intoxicated and suffering from an epileptic fit, he killed a man and was sent to State Prison for life. In his first two years in prison, he learned English and wrote a series of letters, published in this number of the *Atlantic*, which constitute a moving record of the life of a sensitive mind under prison conditions." (I am quoting portions of these letters as valuable testimony to the damnable effects of "prison stupor", which I have tried to describe in the chapter so entitled.)

When he first came to prison, and had recovered from the shock of trial, conviction, and a sentence that he be hanged (which was commuted to life imprisonment only through the accident of interest taken in the case by a Protestant clergyman), John began to study earnestly, and for some time was in a wholesome frame of mind. Here are portions of his earlier prison letters, written before the stupor had stricken him.

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I wish I could have as much respect for my room as monk or nun has for his or her own cell. Truly I would consider my surroundings happy if I could think but for a moment I am in a cloister instead of prison. I wonder if the cloister inmates feel similar pangs of despair as the prisoners are often subjected to bear? I imagine that the quietness and tranquillity of a cloister life gives more courage and hope for an eternal life.

Not so very long ago I used to consider myself the center of the universe, and was inclined to self-pity, consequently I was more miserable than I should have been. Now when my eyes are opened I can see and realize that self-pity is one of the worst traits in a human character, because it leads to misery the one who indulges in self-pity as well as to those who come in contact with him. . . . When I pitied myself and thought my life was a burden to me, it was so. Now when I think that all is well with me, I enjoy life from day to day, and my mind gets more tranquil. I am inclined to believe that there is a good deal of truth in the teaching of Christian Science. . . .

"In the following year," says Mr. Reynolds, "the tone of his letters is tragically changed, and we enter a new phase of his life in the reaction of the prison cell on both mental and moral enthusiasm."

I thank you very much for your kind offer to help me in my studies, writes Sobiesky, but I shall not avail myself of your offer, as I have very little ambition left in me, and my energy seems to be all I have got, the means to fight my awful circumstances and surroundings. Besides I think I have intellectual indigestion. I shall read noth-

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ing but fiction for a long time to come and of course about current events whenever I get such reading-matter.

I am afraid that I am getting prison stupor, because I can remember that I used to derive pleasure as well as knowledge from my reading and studying, which lately do not interest me at all. I am inclined to think that society acts stupid as well as vicious to keep a human being in a place like this for a long term of years. Of course if the only reason for imprisonment was punishment, and no other results looked for, society would find justification in the cruel laws of "an eye for an eye", but from what I have read on the subject [he had evidently been reading Osborne], all the law officers pretend to send a man to prison for reformation and reclamation as well as punishment. If they were sincere in that, no man would be kept in prison more than two years, because all the *good* resolutions one makes in the first year in prison, but after a man has been here several years he gets discouraged and loses ambition to better himself, and gets too stupid to learn anything more than he learned in the first couple of years. . . .

I come in contact here with all sorts of peoples; some of them have been here a good many years, while others are in their first or second year, and invariably those who haven't been here so long are the most intelligent as well as the most pleasant peoples to speak to. My friend of which I have spoken to you before, went home few months ago. Perhaps if he had been locked up years instead of months, his amiability and general disposition may not have been so good as I found it, though I think that he would have proved the exception to the rule.

I earnestly wish that I could comply with your sugges-

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tion in regards to taking a course in agriculture. But I am sorry to be compelled to inform you that I have decided not to study any more, not from laziness, but, because no matter how hard I may try, I find myself unable to concentrate my mind on any unfamiliar subject. I have felt that way during the last eight months. As I have mentioned to you in one of my letters formerly, I think that I have acquired a state of mind that is known here as prison stupor. Some men are affected only temporarily while with others it remains for years. I trust I shall get over my indisposition very soon, and feel once more, as formerly, actual pleasure and delight in acquiring useful knowledge. At present any study would be a hard task for me and to no purpose. . . .

These last letters show with cruel clarity the demoralizing, disintegrating, atrophying powers of the dreaded prison stupor.

I expect — or hope — to reach you with this through the "subway." [The letter has been smuggled out uncensored, in other words.] I feel my heart so full, and I want to confide to someone, *someone* that will understand as I seem to be misunderstood by one and all! It is most unfortunate as well as sad for me to make an admission that my condition here grows daily less bearable, and God only knows how long shall I be able to endure! I am so much weakened by long confinement and my vitality is at such a low ebb. In a word I cease to feel any longer any enthusiasm or charm that life incites in every living being. It is all due beyond any doubt to the deplorable conditions in which we are forced to exist. It is really an unbelievable

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occurrence to me that in this so much talked of land of freedom and in an era of brotherhood of man there exists such human monsters that rejoice and gloat in satisfaction while inflicting unbearable sufferings upon unfortunate convicts, his fellow men after all, and does not feel no moral shame or pangs of conscience of the dastardly acts he commits. We are fed upon decayed victuals no health authorities on the outside would sanction. [The point here is that they have been sanctioned by outside health authorities and inspectors. V.F.N.] It is not only that our bodies are run down but even our mental make-up, our minds and thoughts are poisoned by a long and continuous process of innutrition and there is no getting out of it. I read somewhere that it says there are no prisons for one's thoughts or mind, but yet, I found out different! I found it out that your mind, your very thought, can be poisoned or stupefied by bad nourishment of your body by chronic innutrition and there you are in prison both mind and body and no getting away. [Note: this reiteration of the "getting away" idea is significant in view of the fact that Sobiesky shortly hereafter escaped entirely into the world of dreams and unreality and went insane.] . . . I am left no better than the physical wreck. I can't sleep at nights, I can't eat that rotten food they give me here, it won't go through my stomach. I got those nervous jumps, and I lose control upon my nerves at the slightest disturbance. I can't stand no slurring and all kinds of insulting remarks that I have been hearing from these insolent convicts here, those especially that is known in most all the prisons as "moral degenerates." I wonder if you'll understand what I mean? It is awfully sad to what depths of degradation such people have fallen. There are hundreds of them, who

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are abusing their own nature and who are priding themselves in being the subject of alleviating other men's passions. I hate them. I hate them, I shun them, and they in turn hate me and tell the officials here all kinds of lies about me, that I am no good — or rather bad man and dangerous because I tell them to keep away from me or I'll hurt them if they persist in their immoral purpose. Officials like them from the lowest up, and believe them, and there is no chance whatever of getting a square deal. When a man is run down, when his nerves are worn out and he becomes easily irritable, the honorable warden and Dr. pronounce him dangerous man, not reformed, and therefore must rot in jail, whereas in better conditions such man could be straightened out, nursed back to life and to amiability of temper. However, they don't look in that way. Their object is not to reform a man but to deform him for life — it costs nothing, deny him food, deny him medical attention, let him die by inches, they care none . . .

After another letter or two, which need not be quoted, here is the final effect of imprisonment upon John Sobiesky, as related by Mr. Reynolds.

"The failure of the Lithuanian Society to secure his freedom proved a final body-blow to John. It seemed a declaration that he was doomed to spend all his life in prison. The prison stupor and depression which John himself recorded were followed by other mental and emotional weakening. [Not necessarily; merely the continuing effects of the stupor are enough to account for what happened. V.F.N.] He became

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gloomy, then suspicious, and finally violent. Two weeks before the visitor came to tell John that freedom was hopefully near, he was sent to a state asylum for the criminally insane. There he will probably remain until he dies."

There is thus nothing new about this case. Its visible effects, on the contrary, had been noted even in the days of Chaucer!

· ("With raw-boned cheeks
and hollow eyes forspent,
as if he had been
long in prison pent.")

Its present significance, however, is far greater than it was in the days of Chaucer. With crime rampant, with hundreds of thousands of criminals annually emerging from places of detention, most of them affected by prison stupor, it is high time that the traditional something was done about it. It is hard to see, though, how under present systems of prison management the convict can help falling prey to the disease. In the prison environment there is simply nothing which challenges his active interest or spurs him on to an energetic attempt at rehabilitation. We all of us know that the active, busy person has no time to develop neuroses. Imprisonment as it exists to-day, however, does not keep the prisoner very busy at anything except killing time. It gives him no chance to *live*, and it is for this reason that he seeks escape, consciously or unconsciously, in the

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palpitating life of the dream world. There is simply no incentive to normal activity for the prisoner. The rare convict who has intelligent, thoughtful, devoted friends to help and encourage him, can partly or almost wholly maintain an active interest in life and thus is able to fight off the initial attacks of prison stupor — if his term is not too long. If it is, then no matter how loyal his friends are, or how intelligent he may be, he is likely to be driven by sheer discontent and dissatisfaction into the prison paralysis. Even guards and other prison officials get a touch of it, unless their outside activities are such as to give them a reasonably satisfying, well-rounded life.

In the way of suggested remedies for this disease of the prison, all I can offer are the following: Unless the prisoner is given plenty of fresh air and wholesome exercise in the open, a variety of appetizing food; a diversity of social, mental and emotional contacts through visits, entertainments, and the like; normal sexual intercourse at reasonable intervals; interesting work of a vocational type; competent guards to act as teachers and leaders of inmate study groups and other inmate activities; in a phrase, unless some *meaning* is given to his daily life — prison stupor can never be eliminated from the prison environment. Intelligent penologists are aware of this; but they have always been hampered in their attempts to change the prison environment by the loud and unintelligent protests of ignorant laymen who have not the faintest knowledge of the complex factors in-

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volved in the problem of crime and punishment. It is of vital importance, however, if society really wishes to carry out successfully her plan to reform criminals, to stamp out this malevolent cancer. It is, in a word, the most deadly of the many ill effects of imprisonment upon the human being.

The prisoner, surely, is not to be blamed for seeking the only escape at hand. He is more or less likely, situated as he is, to feel (in the words of A. E. Housman) that

"Iniquity indeed it is on high
To cheat our sentenced souls of aught they crave,
To mar the merriment as you and I
Fare on our long Fool's Errand to the grave."

No, it is not to the prisoner that society should look for the elimination of prison stupor. This is the problem of the penologist who dictates the administrative policy of the prison. It is strictly up to him to do something about a condition which is the chief contribution of the prison to Society.

Chapter XI

The Freedom of the Convalescent

AT a prison camp where I spent several months, I once witnessed a minor tragedy. A convict, who was also something of an amateur trapper and woodsman, caught a rabbit, which he planned to cook and eat as soon as he got a chance, and had been keeping it caged up in an old packing case in which there were only a few small air holes. An official found out about this, forbade him to make a stew of the creature, and ordered him to turn it loose. The man decided to have what he considered some fun with the animal, perhaps thus thinking to avenge himself upon it for its luck in having escaped from the stew pot. . . .

Taking it out of the packing case, he held the frightened, bewildered creature in his arms, while two of his pals who had been "in" on the stew each held a straining, angry tomcat. (*I was busily minding my own business.*) There had been some talk about the relative sprinting abilities of cats and rabbits, and they now planned to settle the little dispute. Since to

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be able to "run like a jack rabbit" was an ancient simile for frantic speed, the consensus of opinion was that the rabbit would easily outdistance the cats. At the agreed-upon signal, the cats and the rabbit were simultaneously set free. Much to our surprise, however, instead of racing away in a cotton-tailed flurry of flying legs, the rabbit merely sniffed the air for a second, looked about in search of orienting landmarks, and then began to lope off in a most lethargic and ungainly manner. The two tomcats, moreover, proved equally disappointing (they were disgracefully well-fed cats). They did not even glance at the rabbit, but scurried off in opposite directions, their tails flat with ruffled dignity. . . .

But the rabbit did not get away. There was a young kitten looking on with the greatest interest. When the rabbit started loping off, and the tomcats bounded away and left her a clear field, the kitten fairly flew to the kill — her very first kill, too, by the way. In three or four wing-footed strides she had the slow-moving rabbit by the neck. . . .

At first I was puzzled by the nightmarish quality of the rabbit's movements: why had it not raced off at once for the safety of the near-by shrubbery? Then I saw the why of it all. Accustomed to freedom, the luckless creature had been confined for several days in a box so small that it gave her barely room enough to turn around in; and the box had been kept in the boiler room, where the air was always tainted by gases from the soft-coal fires. It had been cramped and

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enthralled until its muscles had lost their habitual tension. It had been practically drugged by even the small quantity of tainted air it had been able to breathe in through the air holes. . . . Small wonder, I decided, that it had fared so badly when suddenly thrust out into the ruthless competitive freedom of the animal world.

Thus also with the ex-convict: for the first thing which must be said about him is that *he is essentially the newly liberated animal*. In thus describing him, it is not my purpose to imply that he is of a lower order than the rest of humanity. After all, we are all of us animals. I speak of the ex-convict in these terms simply because that is the closest I can come to stating an important truth about his condition at the time of his release from prison. He is at that particular moment nothing quite so much as he is the human animal suddenly turned out of the cage.

"Christ!" one hears it said by ex-convicts with the fervency of prayer and the frequency of automobile accidents. "Do you know what I feel like? I feel like I'd just been taken out of a strait-jacket. I just don't feel *human*. I'm afraid to walk or to try to cross the street in the traffic. I'm afraid to walk faster than a slow mope, for fear some screw will step up and grab me and say, 'No running allowed in this yard!' Will I *ever* feel human again?"

A newly freed squirrel (to change the figure of speech), would scarcely be expected to remain dazed and upon the ground. Sooner or later it would surely

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hurl itself in a bewildering spiral up the trunk of the nearest tree and disappear in a headlong flurry of fur and leaves among the very topmost greenery — unless the cage has been too small and the squirrel too long confined in it.

A tendency toward a similar excess of activity (blind, irrational, uncontrollable) is likewise to be noted in the freed man's first reaction to freedom. He is in an ecstatic holiday mood. The ordeal of imprisonment has been endured: behind him are misery, restraint, monotony, starvation (intestinal, emotional, sexual): before him is an abundance of food, drink, liquor, women, joy, freedom and life.

The sudden transition from imprisonment to liberty is all but indescribable. It can be compared with nothing else that I have experienced in life. It is somewhat like coming up to the surface after years of slavery in the foulest depths of a coal mine. The very air is like old wine, the goodly sunshine too wondrously dazzling to be endured. The world is green and fresh and crystal clear: a flowery, glistening meadow stricken through with the brilliant sunlight which follows an April shower. . . . It is partly like stepping down to earth after hours in the air: the ground is strange and infirm, and the suddenly diminished perspectives give an air of almost cubistic unreality to trees and buildings and planes. . . . It is also a bit like coming out of the ether after an operation: one sees and hears and feels and even speaks, however irrationally; but the senses are blurred and

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one feels the lingering clutch of the drug-distorted world out of which one is laboriously climbing. . . . The transition from imprisonment to freedom is somewhat like all of these things, but it is an incomparably more vital experience.

The most significant trait of the newly released prisoner is that *he is the human being who has suffered* and who has resolved to obtain some compensation for his suffering. Whether or not he has *deserved* to suffer, and whether or not Society has succeeded in the Gilbertian plan of "making the punishment fit the crime", need not concern us now. It certainly does not concern the ex-convict. All he knows is that he has suffered: that he has gone through a gruelling ordeal, that something or somebody, somehow, must make amends.

At this point a parenthetical digression seems necessary. It seems to me vastly important to establish the fact that the ex-prisoner *has* suffered. If I appear to be laboring what must to every intelligent person be an obvious fact, I refer the reader to to-day's (any day's) daily paper, or to this month's (any month's) average periodical. It is all but impossible to pick up a copy of one or the other without running across a story or editorial to the effect that the convicts are being grossly pampered and sentimentally coddled. . . . This is a difficult topic for me to write about. Not only have I myself felt the lash, and might therefore be a somewhat prejudiced critic; but I have grown positively purple with passion on numerous

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occasions when, cursing my luck in a stone-walled, iron-barred little hole of a cell, I have run across articles in which it was maintained that the prisoner was being glutted with luxurious food and fairly stunned with riotous entertainment. . . .

My emotions prompt me to take a revengeful crack, not only at those officials of law and order who were instrumental in making my ordeal harsh and hateful, but also at those uninformed critics who, never having served a single day of imprisonment, nevertheless feel competent to evaluate the ordeal of the imprisoned man. But I do not follow the promptings of my emotions in this regard: for I am not merely a body which feels, but a mind which attempts to think: and my mind tells me that both the cruel official and the ignorant critic are the victims, in varying degree, of the same stupid, wasteful social system under which I have suffered. . . .

Nevertheless, it needs to be said that, although brutality has been made illegal, and is therefore not practised as a matter of official policy, it has by no means been stamped out. The point is, that at present the brutality has changed from the physical to the psychological type — in the main. That even physical brutality still persists, however, is easily demonstrable. For example, in to-day's paper (in which there is also a quoted speech in which some publicist bemoans the coddling of the criminal) you may read (July 17, 1932) that a prisoner was *beaten to death* by New York police officials; and you may also read that in a

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Georgia prison camp a negro prisoner was likewise *beaten to death*. I could go on for quite a time citing instances of official brutality which I have seen, experienced, or been told about by convict friends; but a perusal of the papers of the date mentioned ought to convince the thinking reader that brutality still exists (in a highly reduced form as compared with fifty or a hundred years ago) but is not heard of by the general public unless, as occasionally happens, some luckless prisoner succumbs and dies.

Any person who has suffered, who has been mentally, emotionally or physically hurt, has a natural tendency to seek relief. The burnt child runs to mother. The beaten and kicked dog runs whimpering to its kennel, seeking safety, concealment, and relief from present pain. All animals, brute or human, have this tendency to give way to self-pity, to whimper, to seek concealment and cessation of suffering. In a word, to find comfort for the wounded ego.

The result of years of suffering on the part of the prisoner has made this tendency so strong within him that he is not merely the wounded animal in search of temporary relief. He is the animal which has been hurt so badly, and suffered so long, that (in the case of long-termers or recidivists) he has a neurosis of which the chief obsession is that *life owes him compensation* for the suffering he has endured. The acts of the newly freed criminal will never be fully understood until this highly significant state of mind is taken into account. For this motivating force with

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the impulse toward excessive, irrational activity, is a sick man's dream and thus most likely to frustrate the ex-convict's efforts at readjustment in the free world.

To put it bluntly, this means that in looking forward, for years, to a life of unalloyed happiness which life owes him, the prisoner has been industriously storing up grim disappointment for himself. He neglects too many vitally important facts: such as, that the joys and sorrows of this world (especially the joys) stubbornly refuse to fall in with even the most carefully laid mortal plans; and that dreams are dangerous for exactly the reason that their failure to come true breeds grief and discouragement.

It goes without saying, of course, that the ex-convict is wrong in expecting any recompense from Society, or from life itself, merely because he happens to have suffered. All men suffer. (Was it Conrad who wrote, as a biography of the human race, "They were born, they suffered, and they died"?) After all, from Society's point of view, the criminal has merely endured the punishment he deserves because of his breach of faith with the community.

This irrational and dangerous attitude of the ex-convict is based almost entirely upon the unsatisfied hungers and repressed desires of the long-imprisoned human animal. It is the result of wants and needs finding expression in a blend of self-pity, and mad hunger, and revenge. Since, however, it is the post-prison state of mind of nine out of ten ex-convicts

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(I assure you that this figure is not too high), and largely governs their post-prison conduct, it is an item in the problem of crime and punishment which the penologists will do well to study.

So much, at present, for the mental-emotional side of the situation; now to come down to the earthy, financial situation. The ex-convict's state of mind would not matter so very much if he had enough money to provide himself with the kind of life to which he feels himself "entitled" after the prison experience. Unluckily both for him and for Society, however, the average ex-convict has barely enough money to buy himself a decent suit of clothes, much less to indulge in an orgy of rich living. Although the man has worked in the prison shop for years and years (and I am not forgetting the balancing fact that in some prisons he is paid a pittance for his work), the prison will *not* provide him with a decent "going-out outfit." In no institution in which I have served time have I seen a going-out suit which was fit to be seen in. As a convict friend once remarked, "Wearing that outfit, a guy might just as well hang a sign around his neck saying, 'I've just come out of the can!'"

Many a prisoner comes out into the free world entirely devoid of money, a home, a job, or influential friends. Especially is this true of the long-termers and the recidivist: the professional criminal. With the accidental, circumstantial criminal it is not usually so bad. He generally has a home, friends, former em-

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ployers to help him. Occasionally he can even get his old job back again. But for the long-termers and the recidivist, the situation is unqualifiedly bad. They have been in and out of places of detention for years. Friends and employers have lost faith in them — quite understandably. They can, and usually do, go back to whatever old underworld friends and places are still in existence at the moment of release. In fact, they are practically obliged to go there. Where else are they to go? Old friends have died or scattered about the earth during the long prison years, so that very often the ex-convict has a hard time finding even his friends of the underworld. In that case — alone, friendless, broke, too vain to appeal to charity, too much obsessed with the idea that the world owes him a temporary life of joy — what is he going to do, except steal?

It often happens that during the prison years underworld pals have kept him supplied with money. He comes out of prison, therefore, under obligation to these men, who are still "out on the racket." Not that many of them would not tell him to forget the debt. As one of them said, "Listen, pal: if you want to go straight, and all that's bothering you is the five C's you owe me — hell! just forget about them and go right ahead." On the other hand, there is an unwritten underworld law to the effect that such debts should be promptly repaid; and the average ex-convict feels that his first extramural duty is to go out and get the money with which to repay them;

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he is thus immediately driven to crime. And in certain rackets involving numbers of men (the various "mobs"), in which killings have taken place, it is dangerous for him to break away and try to "go straight." Not that the fellow members of the mob object to his clearing out; but the mere fact of his *wanting* to "go straight" implies an awakening respect for law and order which may later result in his betrayal of mob secrets and thus jeopardize the life or liberty of the other mobsters.

Suppose, though, that the ex-convict has no obligations of these kinds: that he is merely a penniless, friendless man in search of an honest job. At the present moment, when millions of relatively law-abiding men are out of work, it may seem a bit of pathos to comment on the fact that the ex-convict has a difficult time finding work. But it is really just as important that the ex-convict who desires to live an honest life should find work as that the average jobless non-criminal citizen should do so. The average jobless citizen goes to the charitable organizations, or to friends, and manages to tide himself over, after a fashion. At all events he will not usually resort to crime: and this is exactly what the average ex-convict will do if he wants work and cannot find it. (The job-seeking ex-convict is also a great problem to the parole boards: what are they to do with the man? His time has expired; they must let him go free; and there he is, in a jobless world, a grave menace to the lives and property of free citizens.) Realize how hard

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his lot is. For even when he diligently seeks work, he is disastrously handicapped: he can give no references, he belongs to no unions which might help him, there are years of his life for which he cannot truthfully account. Thus handicapped he is driven to lies and evasions which make him self-conscious and embarrassed — and this certainly does not aid him in his effort to make a good impression on a prospective employer.

And suppose that he does, in spite of these obstacles, manage to get a job. I cite the case of a certain Martin O'Leary. I met him on the street one day and said, "Hello, Marty — how're things?"

"Things is lousy!" said Martin. "Not to give you a short answer, or anything; but they're simply lousy!"

"Why, I'm surprised to hear that, Marty. I heard you had a good job over at Hood's and were doing fine."

"Yeah," said Martin, "I did have a job. I was doin' fine. . . . Look! I'll tell you what happened. I'm walking along the street one day — I'm out to get a bite to eat, at noon — and who do I run into but that stinkin' — of a dick (detective) Kelley. Jesus, Mary and Joseph! . . . An *Irishman*, if you can tie that! He says to me, 'An' what are *you* doing in town, O'Leary?' I says, 'I'm workin' over at Hood's.' 'Yes, you are,' says he, sarcastic like. 'If you're working over to Hood's it'll be at night, with a jimmy and a can-opener.' 'No, Kelley,' says I. 'Honest to God,

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I am workin' there. Call 'em up and ask 'em if you don't believe me.' I tried to convince him that I was goin' straight; but you know how us Irish are — when we're thick, we're very thick. Finally he says, 'All right, me b'y, I will call them up — and if you ain't working there, you better not run into me again on the streets, for I'll run you right out of town.' And with that he walks away and I goes down and gets a bite to eat. Well, I comes back at one o'clock, and — lo and behold! — there's my boss waiting for me with a pay envelope in his hand. 'I'm sorry, Martin,' he says to me, 'but there was a detective in here a little while ago, and he must have told them something bad about you up front, because they've sent me down your pay and told me we don't require your services any longer.' . . . So," said Marty, "that's why I say things is lousy!"

"That was a pretty rotten thing for him to do," I said. "He could have minded his own business when he found you really were working at Hood's. But after all, I suppose he was merely doing his duty as he saw it and incidentally doing Society a bit of harm."

"A bit of harm, says you!" Martin looked at me with that menacing look which startled citizens would soon be meeting behind a leveled gun. "Listen, kid, I'm going to give them a *real* 'crime wave' in this State. I try to go straight and what the hell do they do to me? You just read the papers from now on and just remember that old Marty's out settlin' with this

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here Society!" And with that he gave me a bitter smile and walked away.

Take another example, Al Garfillio, who came out of Sing Sing after serving fifteen years for manslaughter. A hard-boiled gangster who had spent most of his life on the streets of New York, he was in such a stupor when he came out that he was afraid to cross the automobile-infested streets of his native city. Within six months he had become so disgusted with his own inability to readjust himself to normal active living that he began drinking and soon went all to pot. Arrested for a stupid killing in a Long Island rum feud, he was sent back to Sing Sing with a sixty-year term. . . . There was Jimmy Swinnerton, who unexpectedly got a pardon while serving two consecutive twenty-year terms for highway robbery. While in prison Jimmy had for a few years studied and endeavored to make himself capable of earning an honest living when he should be released. On being pardoned, he secured work as secretary for an insurance man. He had become so accustomed to living in a semicataleptic state, however, that he could not stand the rush and bustle of active city life. He began to use drugs, to give him the Dutch courage he needed in order to keep active. Drugs cost money and so Jimmy began to steal occasionally. He was arrested one night when he had a gun in his pocket, and now he is serving out the thirty-two year balance of his terms. . . . I could cite any number of other cases; but I have, I believe, sufficiently indicated the nature

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of the post-prison effects of the stupor. In a word, it is the greatest handicap which faces the ex-convict who desires to reorganize his life on a sound basis.

I do not say that Martin O'Leary's case, or Garfillio's and Swinnerton's are the rule; but neither are they the exception. In one case it may be a detective who betrays his secret; in another a busybody or a personal enemy; just as often he betrays himself, but it is certainly an incident which typifies one feature of the ex-convict's life. It may be asked, why did not O'Leary himself and at the start apprise his employer of this vital fact about himself? The answer is, that much as we pride ourselves on our tolerance, the day has not yet arrived when, in any but the highest or the lowest circles, those above respectability and those below it, the ex-convict is acceptable either as an employee or as a member of society. Most people are highly tolerant *in the abstract* toward ex-convicts, prostitutes, and other declass   individuals; but when it comes down to the actual business of *practising* their avowed beliefs, that is quite another story. . . .

Let us now consider another trait of the average ex-convict which is of great significance. Without his knowledge or volition (except in extremely rare cases), he has the tendency to revert to previous states of living, or of development. In this connection it must be borne in mind that in prison the social, mental and emotional development of the criminal has been sharply arrested. As previously stated, the paucity of social, mental, sexual and emotional contacts pre-

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vents the young prisoner from achieving maturity, and prevents the further growth of even the older one. (The average prisoner of to-day is so young that it is wise, for the moment, to consider the problem from this point of view.) He comes out of prison, therefore, pretty much the same callow, immature person he was when he entered, with the additional handicap of having suffered a partial or total incapacitation or at least a weakening of his powers of adequate response to stimuli. Not only that, but in his raging hunger for the woman, he has inevitably raised her to a place of exaggerated importance in life: so much so that in the initial grip of his lust he is almost ready to grovel at her feet, helpless in the face of her power to appease his wild desire. Unable to face her unself-consciously, he is obliged to hide his passion behind a smirking mask of hypocrisy.

Worse yet, although he thinks of life and people as they were in the pre-prison years, the world and the persons in it have greatly changed. He finds, too, that he himself has greatly changed. For although he feels the same youthful needs and hungers, he finds himself unable to feel the same responses. He is overwhelmed by a sense of futility, of loss, of being out of touch with persons, events, life. It is partly a poignant nostalgia for the old days and an overwhelming regret for the lost years, the wasted youth: the unrecoverable wastes and losses of the prison years. He finds himself enswathed in layers of numbness caused by malnutrition and prison stupor: he

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cannot *feel* anything except the most violent and exciting emotions or events or people. In his unconscious efforts to free his body and spirit of this coating of numbness (anhedonia, as Doctor Myerson calls it in his splendid paper on that subject), he will plunge himself and his friends into the most outrageously impossible situations (so strong is the unconscious urge to make his presence felt, to convince himself and his friends that he is actually *alive*). All of which helps to explain why it is that the average ex-convict, still in the clutch of prison stupor, seeks to pierce the anhedonic fog with artificial stimulations: drugs, fiery liquors, passionate women, the noisy, glittering gaiety of night clubs and speak-easies. To do this, of course, requires money. Usually penniless, but usually determined also to have the fling for which he has lusted so long, the average ex-convict may react in some of the following ways.

He may feel so cheated of the joys to which he has looked forward, so angry at the failure of life to compensate him for the ordeal of imprisonment, that he will turn like a hounded fox upon the environment which frustrates and badgers him and seek revenge at the point of a gun. I have heard any number of ex-convicts say (and they so nearly use the same words that it is practically a pattern): "Listen! You know what prison is. You've been in the can yourself. You know what a man's up against when he comes out. I don't have to tell you. . . . Well, here's the way it is. I went through hell for seven years. I hardly drew

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a comfortable breath the whole time I was there. I got lousy food, a stuffy cell, a rotten job where I couldn't even learn a trade, and had to take a lot of cheap crap from a lot of half-witted screws (guards) who wouldn't even dare to speak to me on the street, let alone try to bully me — not out here, where it'd be man to man. All right. I went through all that torture. For what? For stealing a few lousy bucks from some rich bastard that's got as many dimes as Rockefeller. Even if it's wrong to steal — everybody does it, judges and all; and what about guys like Sinclair, who had Martin Littleton and a few million bucks to keep him from going to prison — even if it's wrong to steal, that doesn't give the dirty bastards the right to keep me cooped up like a dog for seven years, half starved, never seeing a woman, never having a chance to *live*. Well, by Christ, *I'm going to live now!* And I don't give a good goddam where I get the money to pay for my fun — only, somebody's going to pay, believe me. If any of them lousy screws had anything worth stealing, I'd certainly love to make them pay for it. But anyhow, I'm going to make up for those seven years. They ain't going to use me like a yellow dog for seven years and get away with it. No sir. They've had their laugh. Now I'll have mine — at their expense — and we'll see who laughs the loudest, or the longest, or the last."

He may break down completely out of sheer disappointment and a sense of the futility of all effort, and fall prey to a most fearful inferiority-martyr

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complex, taking flight into the prison stupor in which (consciously or unconsciously) he sought refuge during the prison years. I have seen such men: puling, whining, altogether weak and inadequate, their spirits broken by imprisonment and the inability to achieve readjustment. I have heard them say, "Jeeze, what can a guy do? They's no work, and a guy can't take a chance gettin' pinched under the Baumes Laws. If he's an ex-con they'll throw the whole book at him and bury him for life." Beaten, defeated by circumstances, these men are likely to become derelicts and drifters, eventually to land in institutions for habitual drunks, drug addicts, and other misfits who have to be supported by the long-suffering taxpayers.

Or he may become so egregiously dissatisfied with the new environment (which is uncomfortable and embarrassing, which frustrates his desire for sexual pleasure and rich living) that he will commit crimes, even when he has a very sincere desire to reform, which are unconsciously motivated by a desire to return to the prison environment. This, at first glance, may seem incredible; but I am sure that a more careful consideration of it will reveal its fundamental truth. The ex-convict, let us say, finds himself unable to get work; he will not hit the bread lines; without money, he cannot keep up even the pretence of respectability which is necessary if he is to delude his immediate associates, who know nothing about his prison record. This makes life dissatisfying, incomplete, humiliating. In the new world *he has no place*,

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no security, no reputation. What he seeks when unconsciously desiring to return to the prison environment is, not the hateful cell, not the stuffy shop, but *the feeling of security*, of safety, of freedom from the stress and strain of a life he finds too difficult. He seeks the old world to which he had become stuporously accustomed, in which he had a meager but definite place, a reputation, friends of his own kind, and those other things in life which help to bolster up the drooping ego.

The ex-convict, thus, *is essentially the convalescent*. Prison stupor, as I have tried to show in another chapter, is a very real and dangerous disease. Its deplorable after-effects — bodily and spiritual anemia and atrophy, anhedonia — are not to be thrown off in a few weeks or months. In fact, I doubt if any man who has served even five years in prison will ever succeed in fully getting free of its griping clutch. The newly liberated prisoner, therefore, is like any patient just out of a hospital: he is weak and ineffectual — a convalescent. He is able to go through the less complicated motions and gestures of living, but there is actually very little life and strength in his devitalized, desire-torn body. He is a hollow shell, a fuel-less engine. To revert to the original metaphor: the animal suddenly freed after long captivity will need a great deal of time and exercise before it recovers anything like the full use of its various faculties.

A case in point is that of Alfred Sperry, which I

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heard from a woman who had befriended him. I give it in her own words.

"Alfred Sperry," she said, "came down here six months ago. He was like a wild man. I had expected him to be excited and nervous; but he was — well, he was just wild! He couldn't sit down in a chair and stay there for longer than a few seconds. 'What's the matter, Al?' I asked him. 'Can't you get yourself in hand?' He said, 'Look here, Linda; I'm simply feverish. I can't stay here talking with you or I'll lose control completely. You know that I *love* you, Linda; but I'm in no condition to come near you or any decent woman. But I've got to have a woman, and get blind drunk. I can't tell you why, or say anything more about it; but there's the way it is with me, Linda.' I hardly knew what to say. But I was in love with him too. So I said, 'Al, you can sleep with *me* to-night, if it's that way with you.' He gave a strangled sob. 'My God, Linda; that would be a profanation, a sacrilege, a contamination. I feel like some monstrous, misshapen, lustful beast — oh, I couldn't have you see me like that. Good-bye for a while, dear; I'll get in touch with you when I get myself under control, if I ever do.' And with that he fairly ran out of the office. I didn't hear anything from him again — but about two weeks later I learned that he had been picked up, in a coma, along side some highway and taken to a hospital. From there he was transferred to the State Insane Hospital. . . . That's what imprisonment did for Alfred Sperry."

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This, of course, is an extremely rare instance. It goes to show, however, how deadly are the after-effects of prison stupor and tends to prove that the ex-prisoner is a great deal like a convalescent who has been long abed. Allowances should be made for a person in that condition. His best qualities have been so fearfully warped and maimed that he is simply not capable of competing on even terms with his fellows in the free world. The powers of concentration and coördination, which he so urgently needs in the sharply competitive free world, have been atrophied from disuse almost to the vanishing point: he is in the grip of a malady which prevents him from functioning in an effective manner. He is like the proverbial fish out of water, helpless in the bewildering emergencies of a new and strange environment.

Against the case of Alfred Sperry may be set down the more comforting case of John Crawford. He was particularly fortunate. Although he had no wealthy parents, no money of his own, he had made the friendship (while in prison) of a very intelligent, understanding man. When John first came out, he immediately began drinking and frequenting bawdy houses, and in general conducting himself like a madman. Without his friend, he must surely have been lost. The firm loyalty of his friend may have wavered, but it did not break. He showed so much understanding, so much generosity, never berating John (except in the friendliest possible way), that eventually he was able to save him. After blowing off steam in

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every conceivable way for several months, John eventually came down to earth, buckled down to work, and is to-day self-sustaining, a source of great pride to the friend who had not only believed in him, but stood by him throughout the crisis. . . .

All this may, I hope, help to explain why it is that at least two out of three ex-convicts of the state prison type (most of them of the longer term or recidivist type) eventually come back to prison, or at any rate fail to achieve anything like an adequate rehabilitation. Aside from the economic factors involved (poverty, unemployment, inability to furnish references, lack of effective agencies for post-prison resocialization, and the like); aside from the psychological aspects of the problem (the feeling of inferiority, disgrace, strangeness, prison stupor; the real or imagined contempt of Society); aside from these considerations, there are other circumstances of importance. One of these is the conflict between the ex-convict's idea of liberty and Society's.

In his admirable article on "Law, Liberty and Progress," in the *Yale Quarterly Review*, April, 1926, Henry W. Farnam writes:

Liberty, especially personal liberty, makes a strong appeal to all of us, because we are all selfish, and the term personal liberty means to each of us the liberty to do what suits his personal tastes. But our Constitution was not adopted to secure absolute liberty. With the felicity of diction which marks this wonderful document it aims to secure "the blessings of liberty." If liberty is to be a bless-

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ing, and not a curse, it must be a liberty which subserves, not the crude egotism of the individual, but the "general welfare." It must be a liberty promoting civilized progress under the restraints of law.

The ex-prisoner, unfortunately, is not interested in a "liberty under the restraints of law", but in a "liberty to do what suits his personal tastes"; and thus a conflict arises between the aims of the ex-convict and the aims of Society, which, in the long run, is as bad for Society as it is for the ex-convict.

There is the situation. In spite of the anemic condition in which he is sent out of prison and into the free world, the ex-convict is nevertheless expected to rehabilitate himself. The task which faces him is one before which even a strong man might tremble with doubt. And the ex-convict, alas, is rarely a strong man, and more rarely has he the help of strong men. Let me say this: the freed man rarely enlists the help of men; more often a woman is ready to help, but women cannot understand the futile furor which is unleashed. Appalled, they lose their hold, whereas a man, who knows the kind of hunger and fear which beset the ex-convict, might land him as the angler lands the trout, by playing him with a strong but elastic line until the rage subsides.

All the circumstances which I have meagerly sketched constitute the towering barrier which bars the onward march of the ex-convict who desires to

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rehabilitate himself. The more intelligent he is, the surer he is to realize the magnitude of the task which confronts him and to retreat before the prospect of futile struggle which it is bound to entail. He is very apt to fall back upon the cynical philosophy (sophistry, rather) of the prison yard and say to himself: "What's the use! Under these conditions I'd be lucky to be able to earn even a bare living, honestly; and if I slaved for the rest of my life, at current wages, I'd never have enough money to enjoy life. With my illegal and insatiable desires, what can I do except take the desperate chance of not getting caught, and steal the money I've got to have in order to live the way I feel I must live. We only live once. I'm certainly going to try to live right, that once; right, that is, for me, with my perverted notions of living. I know they're perverted to 'normal' people — but they're natural to me. Anyway, that's the way I'm going to live."

Unless he follows this line of thought to its logical conclusion and deliberately goes back to crime as a method of subsistence, the ex-convict is up against a further handicap. During the prison years he lived under the constant government of legally appointed masters. He was trained to obey blindly — under pain of punishment by solitary confinement — every command of a guard, every rule of the prison. He was encouraged to act only when and as his masters commanded him to act, and discouraged from independent action or even independent thinking. He finds,

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when he is free, that he is almost incapable of resuming the ways of independent thought and action — so strong is the habit of *waiting for the word of command*, of making no exertion unless specifically ordered to do so.

Moreover, in whatever community he finds himself, the ex-convict is thrown into associations with men and women whose careers and lives are already well established and who have no hideous secret which they must conceal from their neighbors (at least not so hideous as the secret which the average convict feels he must scrupulously hide from the world). The ex-convict, therefore, feels the need not only of somehow accounting for the years during which he was away, but also of erecting a protecting façade of facts about himself which will help to put him on equal terms with his new associates. He therefore tells barefaced lies, or at least by inference leads his neighbors to believe certain facts about himself which are as ego-bolstering as they are untrue. Aside from the fact that lying is the natural reaction of the man who feels himself at a loss, who is conscious of a real or fancied inferiority, it is the ex-convict's habitual way of securing for himself a recognized place in the community (the place, the security, the reputation he enjoyed in prison). Many prisoners, like others who never have tasted prison life, have the natural instincts of the confidence man, but lack his talents of persuasion and *savoir faire*. This is a dangerous business,

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as he soon learns (if he has the faculty of seeing himself objectively). For after a time circumstances invariably conspire to destroy the picture of himself which he has so laboriously built up in the minds of his associates. This adds to his sense of inferiority and failure, with the result that he generally hurries off to a new environment — to do the same thing over again. This need of creating an acceptable picture of himself in the eyes of neighbors, and the concomitant incapability of living up to the spurious façade he has erected, drive the ex-convict from one community to another (or from one problem to another) unless (as happens very rarely) he has the intelligence to realize that in this respect one community is almost exactly like another, and that he must, in the end, remain in one place and simply face life honestly. . . .

That, after all, is his problem: to face life honestly. It is, of course, the problem of every man and woman in the world. Handicapped as he is at present, however, it is almost a miracle that any long-term or recidivist prisoner ever achieves rehabilitation. That he does achieve it, however rarely, is a glorious tribute to the spirit of man. To start at the bottom is bad enough; and it is usually considered remarkable when the man succeeds. It is remarkable! How much more remarkable, then, is it when the man starts from *far below bottom*, and nevertheless, despite all handicaps, succeeds! If Society can but view the problem of the ex-convict in this light, and provide him with re-

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socializing agencies which will really help him to succeed, she will not only have helped *him*, but have saved *herself* an unconscionable amount of trouble, human life, and general economic waste.

Chapter XII

The Prisoner Speaks to the Psychiatrist

IN the conversations of the men who populate our prisons there are many pithy sayings. One of them is heard with remarkable frequency in shop and yard whenever the conversation turns to the general subject of psychological tests and psychological examinations. At such times the convict will invariably be heard to say, "Bug tests are strictly the bunk!"

When, twelve years ago, I first went to prison, I began to remember what I had heard and read about convicts, prisons and prison reform. I knew that Thomas Mott Osborne had spent a week of voluntary imprisonment in Auburn (New York) Prison. I had read the book in which he describes what he experienced and learned during that week. One of the things he learned was that crime is due, among other things, to the individual criminal's maladjustment to his environment; from which Mr. Osborne concluded that crime is a problem in abnormal behavior for the solution of which society should look to the psychia-

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trist. I knew, too, that leaders in penological thought considered this idea sound and were trying to reform American prisons in accordance with it. It seemed to me that it was an idea which ought to meet with ready response from the convict, since it offered him a chance to learn what, as a maladjusted individual, was wrong with him; and a chance, with the help of the psychiatrist, to readjust and eventually to rehabilitate himself. But I heard, to my great surprise that, for the most part, my fellow convicts were unfriendly to the idea that there was anything wrong with them or that they needed any help from the psychiatrist. I found that their typical attitude was very aptly illustrated by the dictum I have already quoted: "Bug tests are strictly the bunk!"

Upon what, I am asked, is this attitude based? What lies behind this contempt for and hostility toward the psychological tests and the psychiatric examinations? After a great deal of close contact with every known type of criminal, I believe that I can answer these questions.

At the very outset, it is well to bear in mind the fact that the average prison inmate is keenly aware of some of the purposes of these tests and examinations. He knows, for example, that if he fails to make a good showing in the psychological test he may be classified as incapable of holding certain desirable intramural jobs. He knows, too, that if the psychiatrist discovers him to be abnormal in his mental or emotional reactions, or antisocial in his attitude toward

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law and order, he may be classified as incapable of so conducting himself in the free world as to be safely recommended for parole. He knows, in other words, that the psychiatrist and the psychologist have the power (from his point of view) to hurt him. To the extent, moreover, that he fears somehow that he is feeble-minded or queer, and believes that the discovery of his true condition will result in his transfer to a less desirable institution, he concedes to the psychiatrist and the psychologist even greater power to hurt him. Out of this knowledge arises a fear of the mental specialists and of the tests themselves.

This is one fact which underlies the average convict's attitude toward tests and examining specialists. Another fact, the importance of which is not generally understood, is that the average convict regards the psychologist and the psychiatrist as representatives of law and order. He fears, hates, or is bound by the underworld code at least to pretend to fear and hate policemen, prison guards, and other enforcers of the punishing law and order. He makes no subtle distinctions. The warden, the chaplain, the prison physician, any one in authority — unless he clearly demonstrates his friendliness — is the convict's natural enemy; and thus he numbers the psychologist and the psychiatrist among his enemies.

This hostility toward the officials who represent law and order is based upon reasons which, from the viewpoint of the criminal, are entirely logical. As all experienced criminals know, crime thrives best in social

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darkness and needs a grim secrecy. Even the younger and less experienced criminals know that it is dangerous to give information about themselves to their enemies, the enforcers of law and order. Thus it is that such axioms as "Keep your mouth shut!" and "Death to informers!" constitute the first and second commandments of the underworld code of behavior. This means that the average criminal deems it not only weak and foolish, but positively dangerous, to be honest and truthful in his dealings with any individual from the ranks of his enemies; and since he usually considers the psychologist and the psychiatrist his enemies, he is pretty sure to be dishonest and untruthful in his dealings with them. This is a fact which these examining specialists will do very well to keep in mind.

There is, finally, the general attitude of the convict toward plans to reform him. Without going into a detailed discussion of this attitude, it is perhaps sufficient to say that the convict is, on the whole, indifferent to any plan of prison reform which does not promise an immediate amelioration of his own present condition. He is not interested in any far-reaching, general plan for classifying and segregating criminals for society's benefit. To such a plan he is often deeply hostile and at best lazily indifferent. He is interested only in plans which promise immediate and personal benefit to himself; such as better food and entertainment, or a shortening of the length of his imprisonment. Since the psychological tests and the psychiatric

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examinations not only do not promise him any immediate, personal benefit, but, on the contrary, threaten to bar him from a soft prison job or a chance for release on parole, he is not merely suspicious of them, but actively opposed to them.

The convict is thus seen to have developed an attitude of fear, hatred, active antagonism toward the tests and the examining specialists. How does this attitude affect society's plan of studying the criminal in order adequately to cope with the problem he represents?

By way of answering this question, let me cite several instances which I know to be typical of the convict's reactions to psychological tests and psychiatric examinations.

A convict named Warren is called to the guard-room, where the psychiatrist waits to examine him. According to the intelligence quotient given to Warren after the psychological test, he is of higher mentality than the average convict. The psychiatrist proceeds with his routine examination, and everything goes along well enough at the start. A little later on, however, the psychiatrist encounters difficulties. Having decided from certain mannerisms and reactions of his subject that Warren has a homosexual tendency, he begins to ask him necessary but very intimate questions about his sexual life. From this point on, Warren is extremely reticent. He replies in monosyllables to questions he considers unimportant. Too angry to answer truthfully, but at the same time

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afraid thus abruptly to end the examination, Warren manages to get through the balance of it by downright resentful lying when possible, and otherwise by evasions which, although they may not altogether delude the psychiatrist, certainly do not enable him to arrive at the truth about Warren's mental or emotional condition. When Warren comes back to his shop, after the examination, he reveals to a convict friend what the trouble was. He says angrily, "Why, what right has that — — — — of a bug doctor got to ask me such questions? Does he think I'm a — — — degenerate? The nerve of him — asking me if I ever wanted to have sexual intercourse with my sisters or with my mother! I felt like punching the — — — in the nose!"

This may seem to the uninitiated an unusual attitude for a convict to assume. Let me say that it is one of the most typical reactions to the psychiatric examination that I have run across during my years in prison. The average convict, ignorant and unreflecting, does not perceive the psychiatrist's purpose in asking questions of an intimate personal nature. All he can think of is that people who commit incest are generally considered moral degenerates, and that the psychiatrist is (he believes) classifying him as a sexual pervert. I know of one man, who, on being asked such a question, jumped up from his chair ready to assault the psychiatrist, exclaiming, "Why, you dirty so-and-so, you must be crazy yourself!"

Inmate Smith is the next man to be examined by

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the psychiatrist. Smith is an intelligent man. His formal education has been rather limited; but during his years in prison he has done a great deal of solid, if haphazard, reading. In wading through popularized editions of Freud and Jung, Watson and Jennings, he has acquired a smattering of current scientific knowledge. Unlike Warren, Smith is very much addicted to reflection and introspection. As a result of his reading and of a good deal of earnest thought, he has realized that certain emotional inhibitions to which he is subject are, perhaps, responsible for the unsocial conduct which caused him to be sent to prison. Unlike most convicts, Smith is inclined to be truthful, honest and sincere. He has come to the conclusion that, could he but bring himself to talk about his problems with some congenial friend who also happened to be a psychiatrist, he might find relief from the mental and emotional tension under which he has lived for so many years. Smith goes to the guardroom, therefore, wholly eager to be truthful, entirely sincere in his wish to be helped, with all the hopefulness of a pious invalid approaching a sacred shrine. But what happens after he gets there? First of all, the psychiatrist's table is in the very guardroom itself. Guards and other officials come and go within easy earshot of the table. Other inmates who are receiving visits look over at Smith from time to time. Some of them seem to be laughing at him. Others seem to be admonishing him to watch his step and not give any information to a prison official. At all events, guards

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and inmates can see him as he sits there answering the preliminary questions. They can tell, Smith realizes, whether he is really bluffing his way through, or whether he is actually telling the psychiatrist the truth about himself. Smith, a sensitive, self-conscious man, loses his courage. Here is not the haven of refuge that he sought; here is not the privacy of the confessional, in which he thought to lay bare the secrets of his soul. With all his desire to be helped, therefore, with all his habitual truthfulness and sincerity, Smith finds it utterly impossible, under the conditions, to thus semi-publicly reveal the (to him) shameful truth about himself. He does the best he can; he answers truthfully when that is possible, and gets through the balance of the examination by evasions and a few unavoidable lies.

This, I admit, is a comparatively rare attitude; but since it is the attitude of the convict of far better intelligence and capacity than the average, I think it important that the psychiatrist should be made aware of it, as well as of the fact that lack of privacy often prevents him from discovering the truth he seeks.

Inmate Jones is the last to be called to the gaurd-room. In mental stature Jones is distinctly lower than either Smith or Warren. Although he has not, like Warren, the vanity to resent questions which he believes to be personal, and has not, like Smith, the intelligence to realize that there is anything wrong with him, Jones, nevertheless, has a great deal of mental acuteness and superficial cunning. Jones is, as a mat-

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ter of fact, essentially the average criminal, lazy, ignorant, unreflecting, with few very strong motivations. Jones has an instinctive craving for the necessities and luxuries of life and the desire to get them with as little trouble or effort as possible. In prison he is the same lazy, unreflecting fellow, interested solely in doing as little work as possible, and in getting out of prison as quickly as he can. To Jones, as to most average criminals, the psychiatrist is merely the "bug doctor", whom Jones suspects of being more than slightly cracked himself. The psychiatric examination is merely another "bug test" (as convicts call the Binet-Simon, and other tests of intelligence or mental balance). It is simply a test which has to be "passed." Jones has no doubt of his ability to "pass" the test. He has seen any number of his friends, many of them not half as bright as he thinks himself, "pass" it. (To "pass", as Jones sees it, is merely to make so good a showing that he will not be transferred to an institution for the feeble-minded or insane.) Jones hates the whole idea of the test, considering it an unseemly and absurd attempt to prove him feeble-minded or insane. He also shrinks from the fear that during the test he may inadvertently give the officials some information about himself which is not already a matter of record. Nevertheless, Jones feels that he should submit to the examination. He is after a job in the storehouse, where extra food and special clothes may be had, and he is afraid he will not get the job if the prison officials get it "in" for him, as they may if he refuses to take the

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examination. He is aware, too, that a refusal to be examined may be considered an antisocial tendency in him, which may prevent his being recommended for parole. On the whole, therefore, Jones decides that he had better submit to the test with as great a semblance of truthfulness and cheerfulness as he can put on. Having decided to do so, he quickly consoles himself with the thought that here is a chance to score off the hated prison authorities, a chance to "get away with" something. To the outsider who has never spent hour after weary hour, week after lagging week, year after endless year in a stuffy prison shop, this chance for revenge which Jones sees may appear absurd and trifling. But to Jones, the average criminal, it is a very worth-while chance — a chance to steal several hours of comparative idleness from the prison authorities. So he goes to the guardroom with a perfectly guileless countenance and proceeds to pull the psychiatrist's leg for all he is worth. He is very calm and unhurried, pauses as if to reflect before answering each question, and gives every appearance of a man who is honestly trying to remember the details of his life about which the examiner asks him. He enlarges on every item from his past life which he can recall or — better still — invent, and thus manages to spend an unconscionable amount of time at the psychiatrist's table in the guardroom — and away from the hated shop! Eventually, of course, the psychiatrist sees that his leg has been pulled and dismisses his subject. But Jones has gained his end! By keeping out of

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the shop for several hours, and by wasting the psychiatrist's time, he has scored off his enemies, the enforcers of law and order.

The attitude of Jones is, as I have said, that of the average criminal. It is the attitude which, if he is sharp enough to detect it, the psychiatrist will most often encounter in his examinations of prison inmates.

It goes without saying, of course, that in spite of the evasions, half-truths and deliberate lies of men like Warren, Smith and Jones, the competent psychiatrist will manage to extract numerous kernels of truth which may be grist for his particular mill. This, however, is neither here nor there. The psychiatrist's object in examining convicts is to ascertain the truth about them, so that they may be accurately classified, and the unreformable criminals segregated from those who may eventually be transformed into law-abiding citizens. Moreover, any number of books, magazine articles, and papers read before the various scientific societies have been based upon exactly the type of material obtained through examinations of the Warrens, the Smiths and the Joneses of American prisons. Theories of crime and punishment, of abnormal behavior, of prison reform, have been all too often based upon just such worthless material. The point is, that material obtained through psychiatric examinations is valuable only to the extent that it contains truth. After twelve years of close association with other convicts, some personal experience, and a great deal

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of observation and careful reflection, I say to the psychiatrists: Be wary of the use you make of material obtained during psychiatric examinations of prison inmates. The material you thus obtain will be composed largely of half-truths, evasions and lies, and will contain precious little truth. To the extent that you pay attention to what is *said* to you by the average prisoner, you are certain to be hoodwinked.

We are now back where we started from. When Jones, or the average criminal, says: "Bug tests are strictly the bunk!" what does he mean? He knows that he lied to and misled the psychiatrist. He knows that most of his pals did likewise. He knows, therefore, that the psychiatrist cannot possibly know the truth about him. That is what he means when he says, "Bug tests are strictly the bunk!"

That is the average convict's attitude. It is not the only attitude, of course. There are certain others, which, like the one I am about to describe, are so rare as to be negligible, except for the fact that they are the attitudes of the more intelligent, more reflective prisoners. As one of them puts it: "The psychiatrists and psychologists have been coming to us for a dozen years and more. They have tested and examined us. They have extracted from us material which they have used as the bases of lectures, magazine articles, books, and speeches. They have, in other words, used us for their own purposes. What I should like to know is, when are they going to do anything for us?"

It seems to me a fair question. During the past

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twelve years I have served three terms in the prisons of New York and Massachusetts. The present commissioner of correction in Massachusetts is a psychiatrist; the present commissioner of correction in New York is, like his predecessor, a psychiatrist. During these years, nevertheless, I have waited in vain for help from the psychiatrists. It is true that they have attempted to classify us, and that in so doing they have weeded out of the prison population many insane and feeble-minded criminals who belonged in other institutions. But aside from this, I have never known of a single case where a convict was given psychiatric treatment for a mental disorder.

When are they going to do anything for us?

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